

ter, introduced by Representative BERGER; to the Committee on Labor.

Also, petition of citizens of Wilmington, Vt., requesting a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. RAKER: Resolutions of the Los Angeles Chamber of Commerce on the Alaskan coal mines, etc.; to the Committee on the Public Lands.

By Mr. SLOAN: Resolution by Commercial Club of Beatrice, Nebr., indorsing the proposed arbitration treaty between United States and other nations; to the Committee on Foreign Affairs.

By Mr. STEPHENS of California: Resolutions of Southern California Congregational Conference, indorsing Anglo-American arbitration treaty between United States and England; to the Committee on Foreign Affairs.

Also, resolution of Humboldt Chamber of Commerce, of Eureka, Cal., requesting the Secretary of the Navy to transfer the sloop of war *Portsmouth* to San Francisco; to the Committee on Naval Affairs.

Also, report of the committee on mining of the Los Angeles Chamber of Commerce, relating to Alaska coal lands; to the Committee on Mines and Mining.

Also, memorial of Federated Improvement Association of the City of Los Angeles, Cal., for relief from restriction of American water shipping; and a resolution indorsing House bill 4660 as a measure which will give relief; to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Los Angeles Chamber of Commerce of Los Angeles, Cal., favoring the fortification of Los Angeles Harbor; to the Committee on Rivers and Harbors.

By Mr. TALCOTT of New York: Petitions of certain firms and citizens of Rome, N. Y., urging a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. UTTER: Resolution of the Charity Organization Society of Newport, R. I., advocating the appointment of a committee on public health of the House of Representatives; to the Committee on Rules.

Also, petitions of sundry citizens of Newport, R. I., favoring the establishment of a department of public health; to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Local Council of Women of Rhode Island, favoring treaties of unlimited arbitration with Great Britain and other countries; to the Committee on Foreign Affairs.

Also, paper to accompany bill (H. R. 9223) granting an increase of pension to James M. Green; to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to John N. Preston; to the Committee on Invalid Pensions.

SENATE.

WEDNESDAY, June 7, 1911.

The Senate met at 2 o'clock p. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented a memorial of Mount Belknap Grange, Patrons of Husbandry, of Gilford, N. H., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was referred to the Committee on Finance.

He also presented the memorial of F. Van Dyne, of Washington, D. C., and the memorial of W. L. Evans, of Washington, D. C., praying for the passage of the so-called Johnston Sunday rest bill, which were ordered to lie on the table.

Mr. CURTIS presented petitions of Garfield Post, No. 25, of Wichita; of A. S. Everest Post, No. 493, of Atchison; and of Post No. 388, of Meade, Department of Kansas, Grand Army of the Republic, in the State of Kansas, praying for the passage of the so-called old-age pension bill, which were referred to the Committee on Pensions.

He also presented memorials of Antioch Grange, No. 242, of Osage City; of Local Grange No. 1087, of Greenwood; and of Local Grange No. 1476, of Linwood, all of the Patrons of Husbandry, in the State of Kansas, remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were referred to the Committee on Finance.

He also presented memorials of sundry citizens of Liberal, Kans., remonstrating against the passage of the so-called Johnston Sunday rest bill, which were ordered to lie on the table.

Mr. FLETCHER presented a memorial of the congregation of the Seventh-day Adventist Church of Lakeland, Fla., and a memorial of the Seventh-day Adventist Church of Ocala, Fla., remonstrating against the enforced observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

Mr. OLIVER presented a memorial of sundry druggists of Franklin County, Pa., remonstrating against the imposition of a stamp tax on proprietary medicines, which was referred to the Committee on Finance.

He also presented a memorial of the United Irish Society of Philadelphia, Pa., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the Chamber of Commerce of Erie, Pa., favoring the appointment of a commission by the United States and Canada for the adoption of a definite plan for the prevention of the pollution of the waters of the Great Lakes, which were referred to the Committee on Foreign Relations.

He also presented a petition of the Longwood Society of Progressive Friends, of Philadelphia, Pa., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented a petition of Washington Camp, No. 384, Patriotic Order Sons of America, of Donnally Mills, Pa., and a petition of Washington Camp No. 720, Patriotic Order Sons of America, of Johnstown, Pa., praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

Mr. GAMBLE presented a memorial of Local Grange, Patrons of Husbandry, of Clark, S. Dak., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was referred to the Committee on Finance.

Mr. DU PONT presented a petition of Pomona Grange, Patrons of Husbandry, of Newcastle County, Del., praying for the enactment of legislation to prohibit the interstate transportation of intoxicating liquors into prohibition districts, which was referred to the Committee on the Judiciary.

He also presented a memorial of Rural Grange, No. 10, Patrons of Husbandry, of Cheswold, Del., and a memorial of Trophy Grange, No. 22, Patrons of Husbandry, of Felton, Del., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were referred to the Committee on Finance.

Mr. BRADLEY presented the petition of Mrs. James Bennett, of Richmond, Ky., praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which was referred to the Committee on the Judiciary.

Mr. GUGGENHEIM presented memorials of sundry citizens of Wray, Hygiene, Victor, Dover, Nunn, Fort Collins, Pierce, Eaton, Ault, Berthoud, Weld County, Denver County, Denver, and of the congregations of the Seventh-day Adventists churches of Hygiene, Salida, Canon City, Rocky Ford, Denver, Greeley, Longmont, Victor, Wray, La Salle, Arvada, Peaceful Valley, Cripple Creek, Blanca, Florence, Idaho Springs, Niwot, Capitol Hill, Denver, La Veta, and of the Colorado Conference of Seventh-day Adventists, all in the State of Colorado, remonstrating against the enforced observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

Mr. PERKINS presented memorials of the congregation of the Seventh-day Adventists Church of Modesto, and of sundry citizens of Healdsburg, Petaluma, and Berkeley, all in the State of California, remonstrating against the enforced observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

He also presented a petition of the California State Eclectic Medical Society, praying for the establishment of a national department of public health, which was referred to the Committee on Public Health and National Quarantine.

He also presented a petition of Millmen's Union, No. 550, United Brotherhood of Carpenters and Joiners of America, of Oakland, Cal., praying that an investigation be made into the alleged abduction of John J. McNamara from Indianapolis, Ind., which was referred to the Committee on the Judiciary.

Mr. RAYNER presented a memorial of Taneytown Grange, No. 184, Patrons of Husbandry, of Maryland, and a memorial of Roslyn Grange, No. 241, Patrons of Husbandry, of Randall-

town, Md., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were referred to the Committee on Finance.

Mr. NELSON presented a memorial of the congregation of the Seventh-day Adventists Church of Brainerd, Minn., and a memorial of the Seventh-day Adventists Church of Minneapolis, Minn., remonstrating against the enforced observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

He also presented a memorial of the Ancient Order of Hibernians, of Ramsey County, Minn., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. BRIGGS presented memorials of sundry citizens of Paterson, Jersey City, Newark, Dover, Boonton, Clifton, Mount Hope, New Brunswick, South River, Harrison, Union Hill, Perth Amboy, Passaic, and Hoboken, all in the State of New Jersey, remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented memorials of the Pattern Makers' Association of Trenton; of Local Union No. 296, Journeymen Barbers' International Union of America, of Trenton; of Local Union No. 37, National Brotherhood of Operative Pottery, of Trenton; of Local Union No. 26, International Union of United Brewery Workmen, of Trenton; of Local Lodge No. 398, International Association of Machinists, of Trenton; and of Local Division No. 540, Amalgamated Association of Street and Electric Railway Employees of America, of Trenton, all in the State of New Jersey, remonstrating against the alleged abduction of John J. McNamara from Indianapolis, Ind., which were referred to the Committee on the Judiciary.

He also presented a memorial of Local Union No. 199, International Brotherhood of Stationary Firemen, of Paterson, N. J., and a memorial of Local Union No. 55, International Brotherhood of Stationary Firemen, of Newark, N. J., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which were referred to the Committee on Finance.

He also presented a memorial of the congregation of the Seventh-day Baptist Church of Marlboro, of the New Jersey Tract and Missionary Society, of the New Jersey Seventh-day Adventists Conference, of B. J. Blinn, Samuel A. Paul, B. F. Kneeland, S. A. R. Benzel, of Trenton, and of sundry citizens of Elizabeth, Pleasantville, and Jersey City, all in the State of New Jersey, remonstrating against the passage of the so-called Johnston Sunday-rest bill, which were ordered to lie on the table.

He also presented a petition of the National Association of Shellfish Commissioners, praying for the enactment of legislation providing for the economic utilization of waste products, the improvement of public sanitation, and the conservation of our natural resources, which was referred to the Committee on Conservation of National Resources.

He also presented a memorial of Local Grange, Patrons of Husbandry, of Windsor, N. J., and a memorial of Local Grange, Patrons of Husbandry, of Woodstown, N. J., remonstrating against the passage of the so-called cold-storage bill, which were referred to the Committee on Manufactures.

He also presented a petition of Washington Camp, No. 76, Patriotic Order Sons of America, of Elmer; of Washington Camp, No. 175, Patriotic Order Sons of America, of Ocean City; and of Old Glory Council, No. 16, United American Mechanics, of Rahway, all in the State of New Jersey, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

Mr. BRANDEGEE presented a memorial of the Business Men's Association of Derby, Conn., remonstrating against the establishment of a parcels-post system, which was referred to the Committee on Post Offices and Post Roads.

Mr. ROOT presented memorials of Stockbridge Valley Grange; Morrisville Grange, No. 1149; Claverack Grange, No. 934; Halcottville Grange, No. 350; Barre Grange, No. 1026; Perry Grange; Oswegatche Grange, No. 977; Lake View Grange, No. 920; Ulster Grange, No. 1065; Rensselaer Falls Grange, No. 1088; Pittsford Grange, No. 424; Camden Grange; Sherman Grange, No. 1128; Clintondale Grange, No. 957; Ansable Valley Grange; Rushville Grange, No. 1137; Grange No. 418; Ischua Grange, No. 953; Victor Grange, No. 322; Scottsville Grange; Walkkill River Grange; and Newark Grange, No. 366, all of the Patrons of Husbandry, in the State of New York, remonstrating against the proposed treaty of arbitration between the United States and Canada, which were referred to the Committee on Finance.

Mr. REED presented a memorial of sundry citizens of Macon County, Mo., remonstrating against the passage of the so-called Johnston Sunday-rest bill, which was ordered to lie on the table.

Mr. NEWLANDS presented resolutions adopted by Washington Chapter, American Institute of Architects of the District of Columbia, relative to the selection of the site for the proposed Lincoln memorial in the city of Washington, which were referred to the Committee on the Library.

Mr. CULLOM presented a petition of the Illinois Manufacturers' Association, praying for the adoption of an amendment to the corporation-tax law permitting corporations and companies to make returns as of the close of their fiscal years, which was referred to the Committee on Finance.

He also presented petitions of the Western Unitarian Conference, of the Local Council of Women of Rhode Island, of the congregations of the Presbyterian Church, the First Congregational Church, the English Lutheran Church, and the First Christian Church, all of Boulder, Colo., and of the Business Men's Association of Auburn, N. Y., praying for the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented memorials of Local Division No. 1, Ancient Order of Hibernians, of Champaign County, Ill.; of the Central Labor Union of Hudson, N. Y.; of the Central Labor Union of Waterbury, Conn.; and of the Philip Sheridan Club, of Passaic, N. J., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented a memorial of the congregation of the Seventh-day Adventist Church of Peoria, Ill., and a memorial of sundry citizens of Mattoon, Ill., remonstrating against the enforced observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

SALE OF LIQUOR TO INDIANS.

Mr. CLARK of Wyoming, from the Committee on the Judiciary, to which was referred the bill (S. 2624) to amend an act approved January 30, 1897, chapter 109, entitled "An act to prohibit the sale of intoxicating drinks to Indians," etc., asked to be discharged from its further consideration and that it be referred to the Committee on Indian Affairs, which was agreed to.

THE CONGRESSIONAL DIRECTORY.

Mr. BRIGGS, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution No. 42, submitted by Mr. Smoor on the 15th ultimo, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the contingent fund the compensation usually allowed for compiling, editing, and indexing the edition of the Congressional Directory for the first session of the Sixty-second Congress, as prepared and published under the direction of the Joint Committee on Printing.

THE POSTAL SYSTEM.

Mr. BRIGGS, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 56, submitted by Mr. Bourne, June 1, directing the Committee on Post Offices and Post Roads to inquire into and report to the Senate what changes are necessary or desirable in the postal system of the United States, etc., reported it without amendment.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SUTHERLAND:

A bill (S. 2653) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary"; to the Committee on the Judiciary.

By Mr. THORNTON:

A bill (S. 2654) providing for the appointment of an additional professor of mathematics in the Navy; to the Committee on Naval Affairs.

By Mr. TAYLOR:

A bill (S. 2655) to correct the military record of Jacob Linebaugh; and

A bill (S. 2656) to remove the charge of desertion standing against Henry Poe (with accompanying paper); to the Committee on Military Affairs.

A bill (S. 2657) granting an increase of pension to William J. Braswell (with accompanying papers);

A bill (S. 2658) granting an increase of pension to Sterling Hughes; and

A bill (S. 2659) granting a pension to Joseph W. Wilson (with accompanying papers); to the Committee on Pensions.

A bill (S. 2660) for the relief of Marion B. Patterson; to the Committee on Claims.

By Mr. BRADLEY:

A bill (S. 2661) for the relief of Conrad Seither, alias Conrad Seiter; to the Committee on Military Affairs.

By Mr. CURTIS:

A bill (S. 2662) granting an increase of pension to John A. Billings;

A bill (S. 2663) granting an increase of pension to Joseph Cooper (with accompanying papers);

A bill (S. 2664) granting an increase of pension to W. A. Coddington; and

A bill (S. 2665) granting an increase of pension to Leander W. Yost (with accompanying paper); to the Committee on Pensions.

By Mr. BACON:

A bill (S. 2666) granting an increase of pension to William P. Clark; to the Committee on Pensions.

By Mr. REED:

A bill (S. 2667) to remove the charge of desertion from the military record of Benjamin Ipock; to the Committee on Military Affairs.

A bill (S. 2668) granting an increase of pension to Isaac T. Atterberry (with accompanying papers); and

A bill (S. 2669) granting a pension to Samuel Robinson (with accompanying paper); to the Committee on Pensions.

(By request.) A bill (S. 2670) for the relief of Warner Jenkinson Co.; and

A bill (S. 2671) for the relief of John Moynihan (with accompanying papers); to the Committee on Claims.

By Mr. BRANDEGEE:

A bill (S. 2672) permitting suits against the United States for damages caused by vessels owned or operated by the United States; and

A bill (S. 2673) to authorize the maintenance of actions for negligence causing death in maritime cases; to the Committee on the Judiciary.

Mr. GALLINGER. I introduce a joint resolution, which was objected to yesterday by the Senator from Idaho [Mr. HEYBURN] when it was submitted by the Chair. I ask that it be referred, with the accompanying papers, to the Committee on Appropriations.

The joint resolution (S. J. Res. 33) to provide for the maintenance of the contagious-disease service in the District of Columbia during the fiscal year ending June 30, 1911, was read twice by its title and, with the accompanying papers, referred to the Committee on Appropriations.

WITHDRAWAL OF PAPERS—CHARLES E. JONES.

On motion of Mr. CURTIS, it was

Ordered, That the papers in the case of Senate bill 2372, Fifty-seventh Congress, first session, granting a pension to Charles E. Jones, be withdrawn from the files of the Senate, there having been no adverse report thereon.

REPORTS OF IMMIGRATION COMMISSION.

Mr. DILLINGHAM submitted the following concurrent resolution (S. Con. Res. 5), which was read and referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring). That there be printed and bound, with accompanying illustrations, for the use of the Senate and House of Representatives, 2,175 copies of the reports of the Immigration Commission, 475 for the use of the Senate, 1,200 for the use of the House of Representatives, 250 for the use of the Senate Committee on Immigration, and 250 for the use of the House Committee on Immigration and Naturalization; and that there be printed 8,000 additional copies of the abstracts of reports of the commission, 1,900 for the use of the Senate, 4,000 for the use of the House of Representatives, 1,250 for the use of the Senate Committee on Immigration, and 1,250 for the use of the House Committee on Immigration and Naturalization.

PURE-FOOD LAW—DEFINITION OF WHISKY.

Mr. GRONNA. I submit a resolution and ask unanimous consent for its present consideration.

There being no objection, the resolution (S. Res. 61) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the President be, and he is hereby, requested, if not incompatible with the public interest, to transmit to the Senate all the documents and data, including the official opinions and regulations of the Department of Agriculture or bureau heads thereof, together with all printed briefs, arguments, and reports of counsel representing the various interests connected therewith, in the matter of the controversy generally known under the caption or question "What is whisky?", accompanying the same with the decision or decisions rendered by the President in relation thereto.

PUBLIC BUILDINGS IN CITY OF WASHINGTON.

Mr. HEYBURN. I submit the following resolution and ask that it be read and that it may lie over.

The VICE PRESIDENT. The resolution will be read.

The Secretary read the resolution (S. Res. 62), as follows:

Resolved, That the Secretary of the Treasury is hereby directed to inform the Senate what progress has been made toward the acquirement of title by the United States to the whole of squares numbered 226, 227, 228, 229, and 230, for the purchase of which appropriation was made under act of Congress approved May 30, 1908, and if title has passed to the Federal Government, when such title passed, the consideration to be paid therefor, in detail, and whether or not the former owners or lessees now occupying said buildings are paying any rent to the United States for the use of said buildings, and the amount thereof; and also whether or not the proposed plans for the buildings to be erected for the use of the United States Departments of State, Justice, and Commerce and Labor contemplate the occupancy of any portion of the land south of B Street commonly known as the Mall.

The VICE PRESIDENT. The resolution will lie over at the request of the Senator from Idaho.

SENATOR FROM ILLINOIS.

The VICE PRESIDENT. The Chair lays before the Senate the following resolution, coming over from a former day.

The Secretary read Senate resolution No. 60, submitted yesterday by Mr. DILLINGHAM, as follows:

Resolved, That a committee consisting of the following members of the Committee on Privileges and Elections, Senators DILLINGHAM, GAMBLE, JONES, KENYON, JOHNSTON, FLETCHER, KERN, and LEA, be, and are hereby, authorized, empowered, and directed forthwith to investigate whether in the election of WILLIAM LORIMER as a Senator of the United States from the State of Illinois there were used and employed corrupt methods and practices, and whether he is now entitled to retain his seat.

That said committee be authorized to sit during the sessions of the Senate and during any recess of the Senate or of Congress; to hold sessions at such place or places as it shall deem most convenient for the purposes of the investigation; to employ stenographers, counsel, accountants, and such other assistants as it may deem necessary; to send for persons, books, records, and papers; to administer oaths; and as early as practicable to report to the Senate the results of its investigation, including all testimony taken by it; and that the expenses of the inquiry shall be paid from the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee.

The committee is further and specially instructed to inquire fully into and report upon the sources and use of the alleged "jack-pot" fund, or any other fund, in its relation to and effect, if any, upon the election of WILLIAM LORIMER to the Senate.

Mr. DILLINGHAM. In lines 8 and 9 of the resolution, on page 1, I move to strike out the words "and whether he is now entitled to retain his seat." Those words do not appear in the Martin resolution which was sent to the committee, but were added to it.

The VICE PRESIDENT. The Senator from Vermont modifies his resolution as indicated. The modification will be stated by the Secretary.

The SECRETARY. In lines 8 and 9, on page 1, strike out the words "and whether he is now entitled to retain his seat."

The VICE PRESIDENT. Does the Senator from Vermont ask for the present consideration of the resolution?

Mr. DILLINGHAM. I ask for its present consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. REED. I desire to offer an amendment to the resolution.

The VICE PRESIDENT. The Senator from Missouri does not object to its present consideration?

Mr. REED. He does not.

The VICE PRESIDENT. The resolution is open to amendment, and the Senator from Missouri offers an amendment, which will be stated.

Mr. REED. Mr. President, I am not at all certain but that the resolution in its present form is all right, but in view of the fact that it has been held a subordinate committee of a committee does not possess the authority of a full committee of the Senate, and taking into consideration the fact that the resolution as originally passed by the Senate specifically stated that the committee should sit in banc, it seems to me we ought to make it very clear that the committee now being created is a committee of the Senate, directly appointed by the Senate, and owing its authority solely to the Senate.

I therefore suggest an amendment. I move to amend the first line by adding, after the article "a," the word "special," and after the word "committee," in the same line, the words "of the United States Senate," so that the sentence as amended will read:

That a special committee of the United States Senate, consisting of, etc.

I think that would be a little safer and a little more certain.

The VICE PRESIDENT. The Secretary will report the amendment.

The SECRETARY. In line 1, before the word "committee," insert the word "special," and after the word "committee" insert the words "of the United States," so that if amended it will read:

Resolved, That a special committee of the United States Senate, consisting of the following members of the Committee on Privileges and Elections, etc.

Mr. DILLINGHAM. Mr. President, the words were not employed in reporting the resolution because it was not thought to be necessary, as this was declared to be a committee and was also directed to report directly to the Senate. I have no objection to having the amendment adopted if there is any possible doubt as to its being a committee of the Senate which would be authorized to act under the terms of the resolution. So I make no objection whatever to the amendment.

In this connection, however, I wish to state that when the Committee on Privileges and Elections took this matter up they spent considerable time in its consideration, both on Saturday and on Monday. The resolution was authorized in its present form for the reason that on that committee there are several members of other committees who are engaged in other inquiries requiring considerable time and they wished to be relieved of any work connected with this investigation. That recommendation was made by a vote of the committee and the chairman was directed to offer this resolution and to incorporate in it a clause requiring the report to be made, not back to the committee, but to the Senate.

I make this explanation because I thought the resolution was entirely clear, but since a question has been raised, I am very glad to have the amendment adopted.

Mr. CULBERSON. Mr. President, yesterday when this resolution was read in manuscript from the desk I objected to its consideration then because there were some changes in the resolution as reported from that as adopted by the Senate in what was known as the Martin resolution. I was particularly struck at the time and subsequently with the words on page 1, lines 8 and 9, "and whether he is now entitled to retain his seat," it occurring to me then and believing now that it at least squinted at the suggestion that this subject had been adjudicated finally by the Senate on the previous vote. But inasmuch as the chairman of the committee has on motion eliminated what I regarded as the principal objection to the resolution, though I believe it ought to have been reported in the words of the Martin resolution, I do not further object.

Mr. SUTHERLAND. Mr. President, I do not understand that the amendment proposed by the Senator from Missouri [Mr. REED] has been adopted.

The VICE PRESIDENT. It has not yet been adopted.

Mr. SUTHERLAND. I think, Mr. President, it is safer to leave the resolution as it reads: "That a committee consisting of the following members of the Committee on Privileges and Elections" be appointed.

If the word "special" is used to distinguish the committee from a standing committee of the Senate, of course it is not necessary, because it is a special committee in that sense. If the word "special" is used to distinguish it from a committee with general powers, then I think it might be unwise to insert that qualifying word.

We want this committee to have all the powers of any committee of the Senate, and if we let the resolution stand as it was reported I think there can not be the slightest doubt that it will have all those powers. I think it is far better to leave it as it is than to put in qualifying words which might result in its being held that the committee has less power than it should have.

With reference to the other words, making it read "committee of the United States Senate," of course they are wholly unnecessary, because the committee is a committee of the United States Senate. It could not be anything else, being created by the Senate, composed of Members of the Senate, and required to report to the Senate.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Missouri [Mr. REED]. [Putting the question.] The yeas appear to have it.

Mr. REED. I ask for a roll call.

The yeas and nays were ordered.

Mr. BAILEY. I ask the Secretary to read the amendment.

The VICE PRESIDENT. The Secretary will again read the amendment.

The SECRETARY. In line 1, before the word "committee," insert the word "special," and after the word "committee" insert the words "of the United States Senate," so that if amended it will read:

Resolved, That a special committee of the United States Senate, consisting of the following members of the Committee on Privileges and Elections, etc.

Mr. BAILEY. Mr. President, I can not possibly conceive any good purpose to be served by designating this committee as a special committee. It will not enlarge the powers of the committee, it will not change the personnel of the committee, and, consequently, I am unable to understand why it should be urged.

While I am on my feet, Mr. President, I want to say that the action of the full Committee on Privileges and Elections was taken on my own motion, because I am not able, and other members of the committee are not able, on account of our duties as members of the Finance Committee, to suitably execute the instructions of the Senate. Obviously it was impossible for me to aid in conducting this investigation without neglecting the duty which the Senate has assigned to me as a member of the Finance Committee, and when I urged that upon the committee some of them reluctantly consented to this action.

The members of the committee as reported are the members whom I proposed. Ordinarily, as the Democrat of longest service on the Committee on Privileges and Elections, I would have accepted service on this subcommittee, but for the reasons which I have already indicated I asked to be excused. The Democrat next to me in service on that committee is the Senator from Kentucky [Mr. PAYNTER], but for reasons of his own, reasons which were deemed entirely sufficient, he also asked to be excused; and the Democratic membership of it was made up without any discrimination amongst us, the four Democrats assigned to the service constituting the remaining Democratic membership of that committee.

We felt, however, that as the Senate had already determined in favor of this investigation being made by the Committee on Privileges and Elections, it was fair and right that this smaller committee should be made up from the membership of that full committee. It was necessary, however, in the view of some, and it was necessary, in my own view, in order to clothe that committee with all the power which the Senate could confer upon a committee, and to authorize it to invoke the Federal statutes against contumacious witnesses, that we should report it back to the Senate, and have the Senate constitute it as its committee. I did not think it ought to be called a subcommittee; I did not think it ought to be called a special committee; but I thought it ought to be called, as the statute calls it, "a committee"; and unless there is some reason affecting the powers or capacities of the committee, I hope the Senate will not undertake to change the name as reported by the full committee.

I did not myself participate in drawing the resolution which the honorable chairman of that committee [Mr. DILLINGHAM] has reported to the Senate, but I do understand that it was reported after a conference with the four Democrats who are to be members of that committee.

Mr. BORAH. Mr. President—

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Idaho?

Mr. BAILEY. I do.

Mr. BORAH. I wish to ask the Senator from Texas if this committee would have any different power whether it is called "a special committee" or "a committee of the Senate," as it is called?

Mr. BAILEY. I think not. I can not imagine that to describe it as "special" or "sub" could enlarge or could curtail its power, and for that reason I should myself prefer to see it made a committee of the Senate, because that is the language of the statute.

Mr. BORAH. It occurred to me, Mr. President, that a special committee could not have any greater power in any event than a committee of the Senate.

Mr. BAILEY. That is absolutely certain, and I am willing to grant that it could not have less power; but the statute does not speak of subcommittees; it does not speak of special committees; but it speaks of committees. I think we avoid all sort of question by conforming the language of the resolution to the language of the statute, and I hope that will be done.

Mr. ROOT. Mr. President, I rise merely to say that the reason given by the Senator from Utah [Mr. SUTHERLAND] against the use of the word "special" seemed to me to be conclusive. I think we add nothing by its use. I should be quite willing to see the words "of the Senate of the United States" included after the word "committee." I do not think it is necessary, but I think it would be perfectly safe. So I rise for the purpose of asking for a division of this proposed amendment or suggesting that perhaps the Senator from Missouri [Mr. REED] might, while clinging to the second amendment, abandon the first.

Mr. REED. Mr. President, I want to say that in using the word "special" I had nothing in mind except to distinguish clearly between the proposed committee and the standing com-

mittee as such, so as to make it plain that this was not a subcommittee of the standing committee. My reason for this grows out of the fact that we all understand the courts, when they come to construe any act of Congress or of any legislative body, are constantly taking into consideration the history of the act itself and even have resort to the debates. If they were to take into consideration the history of this act up to this hour it would be this: The Senate passed a resolution specifically directing the Committee on Privileges and Elections in banc to take up and consider this matter. The committee reports back this resolution, and in the resolution uses this language:

That a committee consisting of the following members of the Committee on Privileges and Elections.

If they had not used that language, "members of the Committee on Privileges and Elections," no amendment would have been necessary, but having used it, I felt that some court might find a ground or a reason for saying, after all, this is only a subcommittee of the Committee on Privileges and Elections, and that we had no right to allow any doubt to exist in regard to the matter.

Now, since the words "special committee" are objected to, I have no reluctance in withdrawing the word "special" and allowing the other words "of the United States Senate," which are agreeable to the Senator from New York, to remain, so that by specific language we may make the proposed committee a committee of this body and not a subcommittee of a committee.

I want to say that I did not offer the amendment with the intention of provoking any discussion or debate, and I will withdraw the word "special," allowing the rest of the amendment to stand.

The VICE PRESIDENT. Is there objection to the withdrawal of the word indicated by the Senator from Missouri? The Chair hears none. The question, then, is on agreeing to the amendment as it now stands.

Mr. HITCHCOCK. Mr. President, I should like to ask the Senator from Missouri whether, in carrying out his purpose to avoid the appearance of a subcommittee, we should not strike out the words "members of the Committee on Privileges and Elections"? Otherwise, upon the face of the resolution itself, this so-called committee of the Senate will appear to be merely a fraction of another committee.

Mr. REED. I will say to the Senator that I think if we put in the words "of the United States Senate," so that it will read "a committee of the United States Senate," that will cover the question.

Mr. BAILEY. Mr. President, I would suggest, in agreement with the Senator from Nebraska [Mr. HITCHCOCK], that the words "the following members of the Committee on Privileges and Elections" are words of mere description. Of course, we could constitute no committee except a committee of the United States Senate. I believe if those words were eliminated and the resolution should read "that a committee consisting of the Senators named be appointed," that that would be quite as clear, and I think the phraseology would be a little less awkward.

Mr. WORKS. Mr. President, I should like to ask the Senator from Texas, in view of the fact that the resolution itself specifically defines the powers of the committee, whether the name of the committee has any significance whatever?

Mr. BAILEY. The Senator from California alludes to the resolution now before us?

Mr. WORKS. Yes.

Mr. BAILEY. I think not. I think those words are mere words of description and entirely—I will not say superfluous, because that might reflect upon the draftsman's skill or the honorable Senator who presented it; but I will say that they are unnecessary, and for that reason I think the resolution would read a little smoother if they were out. But that is immaterial with me. The only thing that I want made certain is that there is no question as to the power of this committee, because it is quite possible that they will reach a point in their deliberations where they will procure the evidence they seek if their power to obtain it is clear, where if their power is doubtful they might encounter a resistance. Consequently I think it ought to be made clear.

Mr. ROOT. Mr. President, I should be sorry to see those words go out, and I suggest to the Senator from Texas that while they are not necessary to the efficiency and effectiveness of the resolution they do carry a certain significance as indicating that this resolution is not a reversal of the former action of the Senate or a repudiation of the Committee on Privileges and Elections, but is rather a development in the natural course following upon the action already taken. I think they have a

certain explanatory value for all who may consult the records hereafter regarding the course of this proceeding, and I should hope the words would remain.

Mr. BAILEY. Mr. President, of course the Senator from New York and no other Senator would suspect the chairman of the Committee on Privileges and Elections of making a report that in any wise repudiated that committee, and I think that there will be no difficulty for any man interested in the matter to ascertain that these Senators are of that committee. I say to the Senator from New York that the real purpose which I had when I first took the floor was to incorporate in the record a statement of this transaction. It was more for that than for any other purpose that I rose.

Mr. BACON. Mr. President, I think there is a good deal of force in the suggestion of the Senator from Missouri [Mr. REED]. I am of opinion that one of two things ought to be done, either the words "of the United States Senate" ought to be inserted, or else the words suggested by the Senator from Texas [Mr. BAILEY] ought to be eliminated. Either one course or the other will fix the difficulty, or possible difficulty, suggested by the Senator from Missouri.

Mr. DILLINGHAM. I understood that the words "of the United States Senate" were incorporated on the suggestion of the Senator from Missouri.

Mr. BAILEY. That has not yet been done.

Mr. BACON. It is pending. I did not think that it had been agreed to. I do not think the Senate has acted upon it.

Mr. DILLINGHAM. I understand that it is contained in the motion of the Senator from Missouri.

Mr. REED. That is my motion.

Mr. BACON. I certainly was very unfortunate if I did not so state. It is upon the motion of the Senator from Missouri and not upon mine.

Mr. DILLINGHAM. I beg the Senator's pardon. I misunderstood him.

Mr. BACON. But I simply rose to say that I think one or the other course ought to be adopted. I am inclined to agree with the Senator from Texas that the better course is the elimination of the words indicated by him, but it would be a mistake, I think, to fail to do either one or the other, because of the possibility of a construction by some court, which we do not wish to leave any opportunity for. Therefore I hope that one amendment or the other will be adopted. I would be content with the amendment offered by the Senator from Missouri, and if that shall fail I hope the other may be adopted.

Mr. HEYBURN. Mr. President, I should like to have the amendment again stated.

The VICE PRESIDENT. The Secretary will again state the amendment.

The SECRETARY. After the word "committee," in line 1, it is proposed to insert the words "of the United States Senate."

The VICE PRESIDENT. The question is on agreeing to the amendment, on which the yeas and nays have been ordered. The Secretary will call the roll.

Mr. BAILEY. Mr. President, I ask that the order for the roll call may be vacated. There can be no reasonable objection to that amendment.

The VICE PRESIDENT. Is there objection to vacating the order for the yeas and nays? The Chair hears none. The question is on agreeing to the amendment offered by the Senator from Missouri.

The amendment was agreed to.

The VICE PRESIDENT. The question now is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

ALFRED L. DUTTON.

Mr. HEYBURN. I ask unanimous consent for the present consideration of the bill (S. 897) for the relief of Alfred L. Dutton. It will take but a moment.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes that in the administration of the pension laws and the laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, Alfred L. Dutton shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of Battery E, Third United States Artillery, on the 18th day of June, 1865.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CONTAGIOUS DISEASES SERVICE.

Mr. HEYBURN. Mr. President, I rise to a question of personal privilege.

Yesterday the Vice President laid before the Senate "a communication from the president of the Board of Commissioners of the District of Columbia, transmitting a draft of a proposed joint resolution to provide funds for the continuance of the contagious diseases service during the remainder of the current fiscal year."

The Washington Star last night, under the headline, "Senator HEYBURN blocks effort to bring matter before the Senate," publishes an article which in part says:

Senator HEYBURN this afternoon prevented the laying before the Senate of an appeal of the District Commissioners for legislation providing funds for the continuance of the contagious diseases service.

Vice President SHERMAN, to whom the letter from the District Building was addressed, presented it to the Senate, but as the clerk was reading a summary of the commissioners' request Senator HEYBURN interrupted.

"Is that proposing legislation?" exclaimed Mr. HEYBURN. "If it does, it ought to come to some Member of this body."

The RECORD shows that I said it had better come from some Member of this body.

"That seems to be the nature of it," responded the Vice President, noticing a draft of a resolution inclosed in the letter, "and the Chair withdraws the communication."

The same statement, in substance, is found in this morning's Washington Post.

I desire it to appear, as the fact is, that I did not oppose the legislation except for the reason that it was not introduced or proposed by any Member of this body. It was purely because it was proposed legislation coming from some one outside of this body. I intended no opposition whatever to be made to the legislation, but only to the manner in which it came before the Senate, and I was not in any manner attempting to block the legislation. I am thoroughly in favor of it, and this morning it came in the usual manner, being presented by the Senator from New Hampshire [Mr. GALLINGER]. I am in thorough accord with the legislation, and do not desire to be held up through the newspapers as having in any way opposed it or sought to delay it.

The VICE PRESIDENT. The Chair will state that the matter was clearly in violation of the resolution passed by the Senate January 20, 1908, and as soon as the Senator from Idaho called the fact to the attention of the Chair he withdrew the document and returned it to the Commissioners of the District, calling their attention to the resolution which the Senate passed in January, 1908.

OREGON & CALIFORNIA RAILROAD LAND GRANT.

Mr. CHAMBERLAIN. Mr. President, I will occupy the time of the Senate for only a moment, and it is for the protection of the public that I desire to interrupt the proceedings for a moment.

Some time ago, acting in pursuance of a resolution of the Senate, a suit was instituted for the cancellation of the land grant of the Oregon & California Railroad Co. in Oregon, involving something like 2,000,000 acres of land. That suit has been tried and has been determined in favor of the Government of the United States.

Mr. President, there are various parties speculating on the decision of the higher court and inducing innocent people to invest in what they term "preference rights" to this forfeited grant. In other words, speculators are holding out to the public in various cities of the West that for a certain consideration they will obtain for those who are willing to invest money a preference right to these forfeited lands.

There is absolutely no warrant or authority for this attempted speculation upon the guileless public, and I want to call the attention of the public to the fact that there is no warrant or authority vested in anybody to sell these preference rights to the land which has been forfeited to the United States, even if the decision of the circuit court of Oregon should be sustained by the Supreme Court of the United States.

In this connection I desire to call attention to an article published in the Portland (Oreg.) Journal of May 16, 1911, and, as far as I may be able to do so, I desire to warn the public against speculating in these lands which have been forfeited to the Government, because if the decision of the Federal court of Oregon is finally sustained by the Supreme Court of the United States the disposition of these lands must finally be vested in the Congress of the United States. So nobody under any law which is now upon the statute books of the country is authorized to sell or to attempt to sell any of these lands to anybody who may undertake to purchase them now.

The VICE PRESIDENT. Without objection, the article will be printed in the RECORD. The Chair hears no objection, and it is so ordered.

The article is as follows:

LOCATORS PLACE HOMESTEADERS ON FOREST RESERVES—RECENT DECISION IN OREGON-CALIFORNIA LAND-GRANT SUIT GIVES UNSCRUPULOUS OPPORTUNITY FOR FRAUD, ALLEGED.

[Portland (Oreg.) Journal, May 16, 1911.]

Formal complaint has been made to United States Attorney John McCourt by the Forestry Department that following the recent decision of United States Judge Wolverton in the Oregon and California land-grant suit there has been a resumption of the location of unsuspecting persons on railroad land within forest reserves. Large fees are charged by locators, it is alleged, and a rank fraud is perpetrated on those who give up their money for supposed right to valuable timber land.

NO CHANCE FOR TITLE.

There is, say the United States officials, absolutely no chance of any one profiting by squatting on the railroad land within the limits of the United States forest reserves, as even should the Government finally be successful in the suit, the land within the reserves would at once become a part of the reserve and a squatter would be without a right to the land or a possibility of obtaining any. The locators whom District Forester George H. Cecil complains of as being especially active have been at work around Estacada, on the Springwater division of the Oregon Water Power & Railway, and are working out of Portland. They plan, it is said, to get unsuspecting people, who are unacquainted with the status of the land-grant suit further than that it was decided in favor of the Government, to pay them large locating fees to be shown a valuable tract of timber land now owned by the railroad, but which the court holds the railroad is not entitled to.

LOCATORS GET LARGE FEES.

"Unscrupulous locators have been placing people on lands involved in this suit," says Mr. Cecil, "within the boundaries of the Oregon National Forest. Large fees are extracted from these persons, who, through ignorance of the true status of these lands, have been led to believe they are open to settlement or that preference rights may be secured by squatting on them."

Land particularly referred to by Mr. Cecil is the odd sections in township 4 south, ranges 5 and 6 east.

The Government is powerless to prevent these fraudulent locations, the only remedy the bunkoed ones have being the bringing of civil suits in the State courts. It is possible, also, that people who locate on railroad land other than timber and outside of a forest reserve might at some future time be given preference in filing by an act of Congress. Such possibility is remote, however, and scarcely to be counted. It is generally expected, should the Government win its case in the Supreme Court, that nontimber lands will be sold in the same manner that recent Indian reservation lands have been disposed of, by the fixing of a minimum price and the sale of the land to the highest bidder, with provisions for settlement strict enough to limit the purchases to bona fide settlers.

ELECTION OF SENATORS BY DIRECT VOTE.

Mr. BORAH. I ask unanimous consent that the Senate resume the consideration of the joint resolution (H. J. Res. 39) proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution.

Mr. RAYNER. Mr. President, I shall be brief in the remarks I propose to submit to the Senate to-day. I hope that this is the last speech I shall make upon the subject of the election of United States Senators by the people until the proposition comes before the people. I have participated in this discussion for many years, and now for the first time I see upon the horizon the sign of promise.

Before submitting the remarks I intend to submit, I want to appeal to those Senators upon the other side of the Chamber who are in favor of the election of United States Senators by the people to change their minds, if possible, upon the question of the Bristow amendment, which is substantially the Sutherland amendment of last session.

I do not intend to discuss the legal aspects of the subject matter. I have done this so frequently that it has become tiresome, and I do not intend to advert to it. I want to look at it from a practical standpoint just for a moment before I submit the remarks I intend to. And let me say this, that by adhering to the Bristow amendment you are imperiling the passage of the general resolution.

I will admit, for the sake of argument, that with the Bristow amendment in it the joint resolution will pass. I intend to vote for it, but I am only one. I am against the amendment of the Senator from Kansas [Mr. Bristow], but I am for the joint resolution, even if the amendment of the Senator from Kansas should carry. But that is not the position of a great many of my colleagues upon this side of the Chamber.

Admitting for the sake of argument that with that amendment in it the joint resolution can obtain a two-thirds vote in the Senate, let me say this to you, and I say it with all the earnestness and sincerity that I possess: With that amendment in the joint resolution you imperil and jeopardize the ratification of the joint resolution by three-fourths of the States, as required by the Constitution. You might as well look at this question from a practical standpoint. It is not what I may think; it is not what any Senator here may think; but it is necessary to carry 36 States in order to ratify the joint resolution for the election of United States Senators by the people; and, in my

judgment, with the Bristow amendment in it, you take a chance with nearly every Southern Commonwealth in this Union. With the Bristow amendment out of it, I do not believe the question will be asked upon the hustings in any of the Northern or Middle or Western States whether there is such an amendment in it or whether it is out. The attention of the people will not be directed to it. But it will be directed to it in the South.

The State of Georgia, for instance, in my judgment, will not ratify the joint resolution with this amendment. I do not think the State of Mississippi will ratify the joint resolution with the Bristow amendment in it, and I can name one Southern State after another in doubt, and we are not in a position to lose any of them.

Before submitting the remarks I intend to, because I did not intend to say anything about what I am now saying, I make an earnest appeal to those Senators who were with us last session not to change their minds now and force this amendment into the body of the joint resolution, because we must look to the end and the termination of this great struggle. And I say to you that I believe that if you place that amendment in it you imperil the joint resolution in every Southern State.

Mr. SUTHERLAND. Mr. President—

Mr. RAYNER. Mr. President, I did not intend to say this when I rose.

The VICE PRESIDENT. Does the Senator from Maryland yield to the Senator from Utah?

Mr. RAYNER. I will submit to an interruption.

Mr. SUTHERLAND. Does not the Senator from Maryland recognize that if the Bristow amendment should not be adopted it would imperil the joint resolution in a great many of the Northern and Western States?

Mr. RAYNER. Mr. President—

Mr. SUTHERLAND. Let me just follow that for a moment.

In the first place I want to direct the attention of the Senator from Maryland to the fact that there are a great many people in this country who are sincerely opposed to taking from Congress the supervisory power over the election of Senators which it now possesses under the Constitution. Those people, or a very large number of them, will be found opposing the adoption of this joint resolution if it passes as it is now presented to the Senate, and in addition to that—

Mr. RAYNER. I understand that question.

Mr. SUTHERLAND. In addition to that every man who is opposed to that portion of the joint resolution which proposes to give to the people the right to elect will use this other provision for the purpose of defeating it before the legislatures.

Mr. RAYNER. I like to agree with the Senator from Utah, because I know he is always sincere and earnest, but I do not believe that this event will ever take place. I do not believe the question will ever be asked outside of the Southern States on any hustings in the country whether or not we, in substance, preserve this power in the Constitution. I do not think the attention of the people will be directed to it. I do not think they care. In other words, I think, with the Bristow amendment out of it, all the States which would vote for it with it in will vote for it anyway. But I do say you will have a tremendous struggle in the Southern States if you put it in to carry perhaps any one of them.

Now, let me proceed to the general discussion.

Assuming now that the amendment goes in or assuming that the amendment does not go in, upon this measure the time for action has arrived. I am satisfied that no one in this body can now be swayed one way or the other by argument. The ingenuity of the human intellect has been exhausted in the discussions upon this subject. I challenge the genius of the Senate to advance a single proposition upon either side that possesses the inspiration of novelty. The field of tradition, of history, public policy, and of constitutional and statute law has been explored in order to discover resources for this protracted debate that has now been progressing for years upon this mighty problem. The people have listened patiently and submissively, and now they demand from their representatives in this body the privilege of voting. They demand with rightful claim and resistless numbers that the right to vote shall pass from us to them. They have no intention of violating the spirit of the Constitution, and I deny now, as I have denied time and time again, that this change affects the spirit of the instrument. It takes away the election of Senators from the people's servants and transfers it to their masters. It withdraws it from the agent and confers it upon the principal. The spirit of the Constitution remains inviolate and intact, because the Constitution was made by the States, and this amendment, if adopted, will be the work of sovereign States, acting under constitutional prerogative. Three-fourths of the States and not three-fourths of the people

must ratify this act. The power to amend stands isolated and alone upon the pages of that imperishable document, the power that obviates the necessity of revolution, because the States, when they speak, speak under the grant and privilege of the Constitution. The States have practically spoken, though not in constitutional form, and the people in the States have spoken.

Mr. HEYBURN. Will the Senator permit me to ask him a question?

Mr. RAYNER. Certainly.

Mr. HEYBURN. I ask the Senator whether any State has indorsed a change in section 4 of Article I of the Constitution of the United States?

Mr. RAYNER. None that I know of.

Mr. HEYBURN. No.

Mr. RAYNER. But this is the point I am making—

Mr. HEYBURN. Would the Senator be willing to state how many States in his judgment would support such a proposition if it stood alone?

Mr. RAYNER. I believe this. I believe that if the Bristow amendment is left out of the resolution the general proposition will carry in almost every State in the Union. That is my firm conviction. I hardly think we would lose a single Commonwealth in the Union if Senators on the other side would take the Bristow amendment away from the body of the resolution.

The people are speaking everywhere. They have in some sections of the country lost their faith in legislative assemblages. In over 100 years since the Constitution was framed, the panorama of public life has moved on and the scene upon the canvas now represents the people in control.

The people have demonstrated that they are capable of self-government, and that the standard of this great assemblage will not be lowered if we permit them to select its membership. The system is now practically in vogue in every State where primary elections finally decide the issue. If the people of these United States are not qualified to elect their Senators, then they are not qualified to exercise the franchises of free-men or enjoy the advantages of republican institutions. If this is the condition, it might be best for us to resolve ourselves into an oligarchy and appoint political managers to select our public representatives for us. Speaking for myself alone, I would not desire to remain here for a moment if I thought my presence was distasteful to the will of my constituency. Though elected both at a primary election and, of course, by the general assembly of my State, nevertheless if I was here against the protest of my constituency, I would become so embarrassed in the performance of my public duties that I would feel that I had usurped the place I occupy. Who do I represent here; my State in its sovereign capacity? Yes. But what is my State except the people who compose it. Are the people of the State one thing and the State another? Then who is the State? Do the political leaders of the State constitute the State? Is that which has been rightfully denominated the despotism of the Republic the prevailing sentiment of this body? Fellow Senators, are we imbued with fear of the people of our States? Do we believe that in our supreme power we measure so much above the standard of their intelligence that they can not, in their limited vision, grasp the heights upon which we repose, that our selection must continue to be vested in the legislatures, and that the legislatures in a number of instances are also incompetent to make the choice and they must relegate it to an autocracy whose purposes are at war with the institutions of the Republic? I shall not discuss the merits of the proposition. I have finished this task in my advocacy of it for a quarter of a century, from the day that it passed with unanimity in the House of Representatives. We will discuss the merits in our several States when the subject is presented to them, and presented to them it will be. We have delayed it; we have postponed it; we have impeded and obstructed it, I will admit with the best motives on the part of the Senators who are opposed to it; but the hour has arrived when the battle is on, and that battle must either be lost or won. There is no compromise in sight. Principles can not be compromised, and this is not a policy but a principle that is involved. Dilatory tactics and parliamentary devices can not baffle and overpower the movement.

Every political reform of this sort has started in the camp of the minority and then it has gradually increased its converts until it has been taken up upon the tide of public opinion, and as the tide sweeps on to its destination the debris and the wreckage of stranded hulks can not obstruct it in its course. I know that public opinion changes; that at times it veers and trims with the passing winds, but never when it is in pursuit of a great political truth like this. It clings to it until the achievement and every hindrance becomes only an incentive to renewed effort. I hate to touch the Constitution of the United

States. Not because it is a perfect instrument; because we know that it is not. We know that it was the result of compromise, conciliation, and adjustment; but there it stands, the greatest political document ever delivered to the human race. The patriots who framed it, however, foresaw that the day would come when it might require modification in its nonessential features, and so far as its essential features are concerned, they were willing to trust the people that they would never change the integrity of republican institutions. This is a non-essential feature, take it as you will, so far as the Constitution is concerned. It does not touch its life. On the contrary, the change will prolong its life. I said during the last session that the greatest argument delivered against this measure was that of the Senator from Massachusetts who preceded the present junior Senator from that State, and I attempted to show that the reasons advanced had all passed into oblivion. And so they have.

Mr. President, there is one circumstance, however, in connection with this business that I do not like at all, if I may be allowed to digress for a moment. I read in a paper the other day a brief editorial written by an old college friend of mine, who has a certain degree of intelligence and sense, which reads as follows:

How does Senator RAYNER come to accept the leadership of ex-President Roosevelt upon the question of the election of United States Senators by the people? We believe firmly in the position that he has taken, but how does he reconcile the anomaly of his standing upon precisely the same platform that the ex-President does?

I do not like this, Mr. President. When I am on a platform I stay there. The ex-President, however, has a peculiar gift and talent of getting on and off of platforms that I do not possess. No other individual in the United States has the genius that he has in this connection. He can make a speech upon the platform of a railroad train, where the stations are only a mile apart, and recant at one station what he had said at the station he had just passed; he can recommend the selection of a progressive Senator in one State, and then with equal vehemence indorse an extreme conservative in another; he can stand upon two political platforms, each radically differing from the other, and then deny that he stood upon either of them; he can coquette with both political parties and then start a party of his own, whose doctrines and principles consist of an incoherent medley of unconstitutional impossibilities; he can stand upon a platform before an intelligent audience of 3,000 people and tell them how at the dead of night upon the borders of an African jungle, upon the banks of a river that never had any existence, when no one was with him, he encountered and slaughtered a mythological animal that God had never created, and receive the wildest plaudits for the miraculous performance of this impossible accomplishment. [Laughter.]

Senators must not consider for a moment that I am in any manner unfriendly to the ex-President. On the contrary, I am very fond of him, and, as this editor says, we both agree in every particular upon the identical subject that I am discussing here to-day. My objection is not so much to the principles that he advocates, because I believe in quite a number of them, but in the peculiarity that he possesses of changing front so quickly that it is utterly impossible for the human mind to keep track of him in his evolutions. In this connection, I recall in the famous railroad-rate debate that took place during his administration that he sent for me to inquire how I stood upon the supreme issue that was before us at a critical stage of that controversy.

When I gave him the information he said that he was pleased beyond expression that I had arrived at the same conclusion that he had reached. "Now, stand to your colors," he said. "Do you recall what Colin Campbell said to his Sutherland Highlanders at Balaklava?" I happened to remember the incident that, turning to his regiment, he said: "Men, there is no place to retreat from. You must die where you stand." "That is exactly it," said the President. "You have a wonderful memory, and, if necessary, we will die together." The next day, when the vote was taken, I stood to my colors and died where I stood. Just as I was about dying, however, I looked around for the President, who had promised to die with me, but he had neither died nor retreated. On the contrary, I never saw anyone more constructively alive. Under the gentle guidance of the junior Senator from Massachusetts he had slipped away during the night, while we were all slumbering, and there he stood, it is true, with the colors in his hand, but they were the colors of the opposition, and when I returned to life and met him a short time afterwards the only explanation I received for this maneuver, unparalleled in point of strategy upon the pages of political history, was his remark to me: "Well, you all died a glorious death. I was so sorry I could not be with you." [Laughter.]

Mr. President, I am not greatly interested in ancient or medieval illustrations in support of or in opposition to the measure that is now before us. I received a communication yesterday from an ancient friend of mine, inclosing an article of 180 closely typewritten pages upon "The historical evolution of the Spartan constitution and the Athenian Areopagus," and asking me whether I would have it published, as it would illuminate the subject now under discussion and make us desist from leveling this attack upon the traditions of the Republic. I do not intend to read a line of this article, whether it illuminates me or not. I do not intend to have it published. The author said if I would do so he would reimburse me out of the proceeds. Mr. President, there will be no proceeds. I wrote him that I had read everything of consequence that had ever taken place from the time that Eve and the serpent met in the Garden of Eden, and that I never intended reading another line of what has occurred in the past.

What do I care in this discussion about the Grecian assemblies at the time of Lycurgus? What difference does it make to me whether Lycurgus believed in a senate of elders or not, or whether Solon left the supreme magistracy of the state in the hands of its nobles, or whether Augustus destroyed the independence while he restored the dignity of the Roman senate? We are not nobles. I have enough dignity. I would rather have a little less dignity and more independence. I know that about the time of Caesar the independence of the Roman senate ought to have been destroyed. The Senate then consisted of about 1,000 members, most of whom were privately and publicly depraved and corrupt and reflected disgrace and dishonor upon their rank and station. I have wasted years over this, and what I am concerned about now is the future and not the past. I am taking more interest in Senator BORAH, who is advocating this measure, and Senator HEYBURN, who is opposing it, than I am in Solon or Lycurgus or Julius Caesar. My face is toward the rising sun. I see the most significant changes taking place around me, and history does not help me.

We can not disguise the fact that a peaceful revolution is taking place in this country. We may be upon the side of the revolutionists or opposed to them; it matters not. The fact, however, admits of no denial; it stands out in bold relief, and political independence is the order of the day in both parties. The people are shaking off the manacles and fetters of political slavery, and link by link their chain is breaking. I am not here to deliver any dissertation upon the extent of this movement nor upon its merits, so far as its contemplated purposes are concerned. One thing is sure, and that is that the conflict is on and that the people, led by patriots, are in the field. I deny that this movement is deteriorating the standard of intelligence or morality of the public service. A prominent Senator proclaimed to the country a few years ago that "the Decalogue in politics was an iridescent dream." Any person who at this hour would announce that a moral code in politics was a dream would be branded as an outlaw and banished from the field of his political activity. Instead of an iridescent dream it is a radiant reality. A few years ago party servitude was a badge of honor, and if an unqualified candidate was nominated for public office it was considered the duty of every party man to rally to his support, and it was held to be disloyalty and treason to revolt against the nomination; but treason prospered, and when treason prospers it is no longer treason.

The measure now before us is merely a sign and symptom of the movement. It was put to its practical test a short time ago in the State of New Jersey. I am not just now selecting presidential candidates because I am not a politician, thank God. I do say this, however, that never upon the pages of our political history was there a more fearless exhibition of independence than that of the governor of that State upon this occasion. It was not a personal or political matter at all. A primary election had been held and I do not care how many or how few people voted at that primary, the people had the opportunity to vote and if they did not exercise the right it was their fault. Governor Wilson announced the principle that a moral obligation rested upon the legislature to sustain the result of the election. I am not disparaging anyone who was a candidate before the legislature. I am upholding, however, to the last degree, the principle that was proclaimed. He denied the right of anyone to corral the legislature and his undaunted courage in laying down the gage of battle to the forces that opposed him has drawn for him, from every section of the land, the commendation of his countrymen. It is the same way with us. We can not override the will of the American people, and we might as well fall in line with it. We might as well recognize the fact that this Senate is not more powerful than the constituencies it represents, and that we can not throt-

tle this reform any longer. The senior Senator from Idaho, with all his daring intrepidity and all his defiant courage, backed by the resources of his powerful intellect, can not march single handed over this land and overpower 90,000,000 of his countrymen.

The Senator, to whose arguments I always listen with a great deal of interest for a number of reasons and for one reason principally, and that is because he uses as good and pure English diction and expression as any Senator upon this floor, says that the matter has never been properly explained to the people. Now, let the Senator explain it, and I venture to say that with every explanation he will make converts upon the other side of the question.

Mr. President, there is no constituency in this land so benighted that it does not understand it.

And let me tell you it is a great mistake to suppose that this amendment depends for its support upon the ignorant masses of the country. It is exactly the opposite; it will gather its strength from every community where political integrity rules and intelligence prevails. As the roll is called from Commonwealth to Commonwealth you will find that from our seats of learning, from the ranks of educated labor, from our colleges and academies and universities, its apostles come, with free ballots and with ballots that are not for sale, and they comprise the flower of the rising generation of this land, who are not agitators or demagogues, who understand the philosophy of our institutions, who have determined to break the bonds of political servitude, and who have arrived at the conclusion that for them the road to an honorable ambition lies not upon the narrow path of legislative influence, but upon the open field where freedom thrives and honor blooms.

Mr. HEYBURN. Mr. President, it had not been my intention at this time to speak on the joint resolution or on the amendment, but the Senator from Maryland [Mr. RAYNER] has made some statements to which it seems to me it is well to reply. He has, as I understand him, suggested that because of the slight attention that would be paid to the amendment of section 4 of Article I of the Constitution, the people might be led to adopt it in ignorance of the fact that it was a part of the subject matter for their consideration. That does not appeal to me. Any proposition to amend the Constitution of the United States should be impressed upon all of the people and the fullest knowledge should be had by all of the voters as to its purpose.

I asked the Senator from Maryland if any State had ever proposed or recommended the amendment of section 4 of Article I of the Constitution. He said he knew of none. Mr. President, no State has ever suggested to Congress or at all that section 4 of Article I should be amended. It can not be claimed on behalf of that amendment that there is any pressure or demand from any part of the people of the United States that that part of the Constitution should be changed. Is it now proposed to attract the attention of the people to the amendment of section 1, and then, if I may use the term, slip in surreptitiously—without knowledge or notice to the people—an amendment to another and different part of the Constitution that is separate and distinct in its purpose and effect?

How is it that up to this day no one outside of this body has ever proposed to amend section 4 of Article I, or that it has never been thought of in the legislative bodies of the country or among the people of the country that section 4 of Article I should be amended?

The Senator says that unless section 4 is amended the States will repudiate the amendment to section 1. Well, in my judgment, the States will repudiate the amendment to section 1 and to section 4, or to either of them if those amendments are submitted to the people for their consideration. What possible excuse can there be in this hour for attaching the amendment to section 4 to the amendment to section 1 except it be to gain a strength for the amendment to section 4 which it could not otherwise obtain? Is that the high plane upon which legislative matters should rest, that you are going to use one section or one proposed amendment as a club to compel the people to support that which they do not want in order that they may obtain something that they do want? Is that the proper spirit in legislation, whether it pertains to amendments to the Constitution or whether it arises in the ordinary course of legislation?

What State in this Union would support the amendment to section 4 if it stood alone? Does the Senator dream that it could receive the support of a sufficient number of States to adopt it? Why not, if Senators think that section 4 should be amended, submit it as a separate amendment to the Constitution? Why not introduce a joint resolution in this body proposing to amend that section, and let it stand upon its merits?

No. But they would dragoon those who favor the election of Senators by direct vote of the people, as they call it, into their cause in order to gain strength for that which without it would have no strength whatever.

Will a Senator who is in favor of the amendment proposed by the Senator from Kansas [Mr. Bristow] submit to the introduction of a new element into this question in order that he may perhaps succeed in amending section 1? I doubt it. There is and there can be no reason why any Senator on this side of the House should support the proposition to amend section 4. If they are wedded to the idea of electing Senators by direct vote of the people, what else can they do but support the amendment introduced by the Senator from Kansas?

That is assuming, for the purpose of argument, that the proposition to amend section 1 has merit; it is assuming, for the purpose of argument, that the proposition to amend the Constitution so as to do away with the intervention of the legislatures is of sufficient importance to compel them to submit to an amendment to section 4 which has never been discussed by the people, never been advocated by any legislature, and which has no support based upon the demand of the people of the country.

No man has ever voted upon the question of the amendment of section 4; yet we are told on the other side that unless we submit to that amendment that has received no consideration outside of this body they will defeat the entire proposed amendment of the Constitution. Whenever the Congress of the United States resorts to that character of pressure for the purpose of enacting or on behalf of the enactment of a law or the change of the fundamental law, it will have abandoned principle and resorted to the law of expediency or resorted to the law which governs the highwayman—the alternative that is presented to a man, “if you do not abandon the principles that have marked your career and your course all your life we will defeat you in a just cause.”

I am not one of those who believe in the amendment to either section 1 or section 4. A few days since I gave my reasons for my opposition to the proposed amendment, and I am not going to attempt to cover that ground again. I am speaking now against the adoption of a measure here that proposes to change the fundamental law of the land without any pressure or demand whatever on the part of the people. What does the proposed amendment do to section 4? It leaves it, as was admitted by some Senator on the occasion of my former discussion of this question, a skeleton, without the form or semblance of law as law is written. It eliminates from the section the provision relative to the election of Senators, and leaves the provision giving Congress the power to fix the time, places, and manner of holding elections for Representatives stand alone in the section. What becomes of the principle for which they profess in this hour to contend? Why should one rule pertain as to the election of the Members of the House and be rejected as to Members of the Senate? The proposed constitutional amendment eliminates from section 4 the provision—

But the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

That is eliminated entirely and we have remaining the mere skeleton:

The times, places, and manner of holding elections for Representatives shall be prescribed, etc.

Mr. President, there are some suggestions that I desire to make in addition to those I have heretofore made in regard to the election of Senators by what is called a direct vote. The population of our country is changing in character, and has been changing for half a century. The relation between the native-born American to-day and the foreign-born citizen of the United States is so radically changed from what it was 50 years ago that it enters into the consideration of this question. It was, 50 years ago, two-thirds American sentiment and one-third mixed sentiment. To-day the condition is reversed. It is one-third American sentiment and two-thirds mixed sentiment, from which we must gather the strength that will support the American sentiment. The proportion between those two classes of citizenship must be taken into consideration. We are receiving into this country an element of people that bring no traditions incident to our country with them. They come from other countries where the participation of the people in the determination of public questions does not exist. They come to this country with the idea that it is in the nature of a socialistic Government. They know nothing at all of the foundation, principles, or traditions of our Government. It takes generations for them to become imbued with the ideas essential to the maintenance of this Government; they seek to change it from the time they land on our shore. The element that supports the revolutionary party of this country is a foreign element. By and by, as gen-

Mr. BORAH. My colleague suggests there was a reason why the States were given control over the manner of electing electors, and why the States were given control, subject to the regulation of Congress, over the manner of electing Senators. I ask, as a matter of information, what was that reason? I have never been able to understand why the fathers gave to the legislature of the State the sole and exclusive power to prescribe the manner of electing electors and why they differentiated with reference to Senators. If there was a reason assigned in the debates or elsewhere I would be glad to have my colleague suggest it. I have never been able to find it.

Mr. HEYBURN. That is arguing that the presumption is against the wisdom of the founders of the Constitution.

Mr. BORAH. No; it is an humble and a frank admission on the part of the Senator from Idaho that he would like to learn something from his colleague.

Mr. HEYBURN. Mr. President, I do learn something every day from my colleagues, and the man who does not is probably either overegotistic or perhaps deficient in appreciation.

Mr. BORAH. I asked the question in perfect good faith. I assume my colleague thought I was simply bantering.

Mr. HEYBURN. No; I did not. I know the bent of mind of my colleague well enough to know he is sincere in what he does. But he has asked me a question, and it is my intention briefly to reply to it.

Mr. CHAMBERLAIN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Oregon?

Mr. HEYBURN. I do not want to be interrupted just now. I will yield to the Senator from Oregon later.

When the question of the organization of this Government, as represented by the Constitution of the United States came before the people there were already States in existence, sovereign States, each bound only by articles of confederation. There was no concrete existing government, and it was necessary, in order to induce those States to enter into the compact represented by the Constitution, to recognize the States as governments, each distinct. The question arose as to how, or whether or not they should be a part of a general council of the Nation; and through long, hot days of debate that question occupied the attention of the constitutional convention. First, the question whether there should be one or two bodies. The States under the Confederacy had only one legislative body. They had no body of legislators which represented the States as States. The only legislative body they had represented all of the people in a Congress.

The States were not willing to give up their individual sovereignty unless they could retain their identity as States; and it was a question of contract between them as to how this branch of the Government, in which the States should appear as States, should be represented, and, secondly, how that representation was to be brought about. The disparity in size of those States, or of some of them, entered largely into the determination of that question. The smaller States, like Delaware, New Jersey, and others, were not willing to enter into any other body than the House upon the basis of their population. They said: "We are sovereign States; we want representation in a body in which all the States will be equal, have the same vote in determining questions that affect the Union or affect the States separately." They demanded it as a condition precedent to entering into the contract of government.

There would have been no occasion for having two Houses of Congress except for that condition. The demand for two Houses of Congress was based upon that condition. Otherwise, can any Senator give any reason why there should be two Houses of Congress?

If you are going to change the method of making up the Senate to the same method that prevails as to the House, you have only two Houses of Representatives. That is all. There is no longer that representation of the State as an entity. They would all be elected by what is called a popular vote, subject to the evils I have pictured.

I have heard my colleague say—and I suppose he is saying it now in his own mind—that the election by popular vote does not change the fact that the popular vote of the State elects the Senator.

But the government of the State is embodied in its legislature by the constitution of every State in the Union. The only government that the State has is crystallized in its legislature, and that is something for the State to look to. That which is crystallized government is recognized as the entity of statehood.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to his colleague?

Mr. HEYBURN. Certainly.

Mr. BORAH. The government of a State is crystallized in its executive, its judicial, and its legislative departments all combined. If you speak of it in the manner in which my colleague speaks of it, it would have been just as appropriate, if the fathers had seen fit to do so, to have referred the selection of Senators to the executive department. It could have been just as well said that the executive department alone, pursuing the argument which my colleague is pursuing, represented the government of the State. Now, as a matter of fact, speaking simply as a governmental entity, it is represented by the judiciary, the legislative, and the executive departments.

Mr. HEYBURN. Mr. President, it is true the State might have taken that position; but they did not. It was the States, and not the General Government, which determined how they should be represented in the United States Senate and how that representation should be procured. It was the States which opposed the idea that was advanced that Senators should be selected by the governor or by other portions of the State government. But it must be admitted that whatever government for the purpose of making laws there is in the State is in the legislature of the State. There is no government for legislation in the judiciary of the State, nor in the executive officers of the State; it is in the legislature. That is where the State government is crystallized, because the highest function of every government such as ours is in its legislative power. The courts are made by legislation, or the equivalent of it; they are added to or changed by legislation, or the equivalent of it, whether it be the State constitution or an act of its legislature. The States demanded this method of doing it, because the legislature was the only medium of power through which the State could act.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield further to his colleague?

Mr. HEYBURN. Certainly.

Mr. BORAH. If my colleague will pardon me for making one more suggestion—

Mr. HEYBURN. Certainly; it does not bother me at all.

Mr. BORAH. The legislature is the lawmaking body of the State, and it represents the sovereignty of the State so far as the lawmaking capacity of the State is concerned. One of the great objections which we have to permitting this function to remain with the legislature is because it is not a lawmaking function which the legislature is performing, and it is turning the legislature of the State into a political convention, which results in its being torn and distracted and venalized and corrupted by those things which work alone for political purposes and not for the purpose of making laws for the benefit of the State.

Mr. HEYBURN. Mr. President, that is the old argument of incompetency or unfitness of the legislature to perform this duty. The sovereignty of a State is in its legislature and nowhere else. It is not divided between the legislature and other functionaries of government. The sovereignty of a State rests where the lawmaking power rests, and it is not elsewhere, either in the State or in the General Government.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield further to his colleague?

Mr. HEYBURN. Certainly.

Mr. BORAH. Does my colleague contend that the sovereignty of a State is confined alone to the legislative department of the State?

Mr. HEYBURN. Yes, absolutely; and it was never written otherwise.

Mr. BORAH. Then when two governors are dealing with one another in reference to extradition neither of them represents the sovereignty of their respective States.

Mr. HEYBURN. They are merely the agencies of the legislatures that pass the law authorizing them to deal with each other.

That is police power. That is simply an act giving the performance of police duty by which one governor issues a requisition at the request of another for the purpose of apprehending those who have violated the law. The Senator would not contend that that was an act of sovereignty any more than he would contend that the arrest of a man on a street corner was an act of sovereignty.

Mr. BORAH. Mr. President—

Mr. HEYBURN. There is something which authorizes that to be done. The States have other powers that are granted through the Constitution of the United States. The Constitution of the United States is the foundation upon which the right of extradition rests; it was a part of the contract that formed the Nation.

erations come, they drop out, but they are reenforced by others that are coming in. For the last half century we have had to contend against the foreign idea or conception of our Government; we have had to contend against those who, because of their unfamiliarity with our system of government, are wandering in the field of political conjecture without any anchorage.

These conditions emphasize the necessity of standing by our written Constitution, which represented at the foundation of our Government the true principles upon which the Government should rest and which represent them in a larger measure to-day than ever before. There is more necessity to-day than there ever was for a citizenship that adheres to the foundation principles of this country, because of its traditions, because of the reasons for their adoption.

The Senator from Maryland says we are in an era of peaceful revolution. If this element is to grow and extend its influence upon our Government, we may find ourselves in a revolution that is not a peaceful one.

The guaranty, and the only guaranty, we have for the maintenance and continuance of our institutions under the Constitution is to maintain them. Nothing should recommend a change in the organic law of this country that arises in times of peace. We have never unwritten a word of the Constitution since it was adopted. It has never been seriously proposed that we unwrite a provision of the Constitution until in this hour, and we are proposing to write out of it the power of Congress to maintain the Government, to defend it against attempts to undermine and sap the fundamental law. Never until this hour has it been proposed to diminish the power of the Government in maintaining its own life and integrity. Men have talked it, revolutionists have preached it, theorists have prated about it, but statesmen have never before proposed to unwrite any provision upon which the power and the supremacy of our country rested.

At no time has it been proposed, prior to this hour of political disturbance referred to by the Senator from Maryland [Mr. RAYNER], that we should take away from the States acting as States the power to perform their constitutional functions in selecting Members to this body. Never has it received the consideration or the serious consideration of the Senate of the United States, and yet we are told now that we are going to change the whole system that regulates the relations between the States and the Government under the specious pretext of getting nearer to the people.

How does it get nearer to the people? As I see it only as it is, in the parlance of the police records, that it will get nearer to the people in order that it may get its hands into the pockets of the people's rights and filch them away. That is the way it will get nearer to the people.

Look at the result! To-day we have under consideration a great investigation involving the regularity of the election of a Member of this body. We are called upon to investigate the proceedings of the legislature of a single State. We can not attack or question the right of any member of the legislative body to hold office. We accept the legislature as the people of the State constituted it. What do we propose to do now? We propose to make it necessary, in the event of a contest, to investigate every county and precinct and ward in any State where a controversy arises. We open the temptation to those who would gain by these contests to contest, through the committees of this body, the elections in wards and counties and precincts.

We endanger the stability of the act of the people in another way. Should Senators be elected at a general election where precinct, county, State, and other officers are elected, the result of those elections could be tied up indefinitely. Proceedings to determine the regularity of an election at which State and county officers are elected would involve the determination of the election of a United States Senator which depended upon the vote in those subdivisions of our Government.

If a great contest arose over the election of a Senator from one of our great States within which great cities exist, we would have to send our committees to the ward poll books, to the county returns or the returns of the State; and Congress can not take away from the courts of the States the right to investigate those elections. Congress can not controvert the conclusion of the courts as to whether or not the polls were opened at the hour provided by law; as to whether or not the ballots were counted in the manner provided by law; as to whether or not the returns were made in the manner provided by law. They would be subject to the control and decision of the courts in proceedings familiar to every Member of this body regarding the regularity and the legality of the election; and then what would become of the United States senatorship?

No man could appear at the bar of the Senate with credentials until those questions were determined in the local courts.

Who then would be determining the right of a Member to his seat in this body? The local courts, the supreme courts of the States, after the long term or procedure in which the consideration of the legality of those elections were being heard and determined. No man could appear at the bar of the Senate, because he would have no authenticated credentials which would authorize him to appear here.

Now, that might occur in one State or it might occur in all of the States, and it would be a temptation to many who were making a desperate struggle to be elected to this body to throw confusion about the election, to have claims made as to its irregularity, in order that it might be tied up in the courts, and there eventually, perhaps one or two or three years afterwards, be determined.

You transfer, in effect, the right to determine the membership of this body from the body itself to the minor courts of the land. We could not take up for consideration a question whether or not any man had been elected a Member of this body until the returns were canvassed. There is not a Senator here who has not in his own mind fresh the recollection of cases in which the canvassing of the returns of the election was enjoined by a court or controlled by it. The very foundation upon which the Senate bases the consideration of the question as to the right of one claiming membership in this body could not even be initiated until the courts having jurisdiction under the laws of the State had passed upon it.

These objections suggest themselves to the minds of Senators when they talk about taking the power and the duty from the legislature and placing it in the ward precinct. These questions are of such vast importance that they overshadow all of this political cry of corruption in legislatures. Is corruption more likely to exist in a legislative body than it is in the voting precincts of a State?

Mr. CHAMBERLAIN. Mr. President—

The PRESIDING OFFICER (Mr. JONES in the chair). Will the Senator from Idaho yield to the Senator from Oregon?

Mr. HEYBURN. Certainly.

Mr. CHAMBERLAIN. I should like to ask the Senator from Idaho a question. As a matter of fact, is not the spirit of the Constitution violated now in those States where primary elections are held for the nomination of Senators and where the legislature usually follows the direction of the voters of the States with reference to the election of Senators?

Mr. HEYBURN. If there is one thing in my political career that I am more proud of than another, it is that I have always and consistently opposed the system suggested by the Senator from Oregon.

Mr. CHAMBERLAIN. I ask the Senator the question if it is not a fact that in most of the States of the Union the spirit of the Constitution is now violated in that respect, in that the people nominate their Senators and the legislature follows the suggestion of the people with reference to the election?

Mr. HEYBURN. I am restrained by such patriotism as I have from confessing that the Constitution of the United States is indirectly violated.

Mr. CHAMBERLAIN. Is it not so?

Mr. HEYBURN. It would be a crying shame against the people of the country to admit that the Constitution of the United States was being indirectly violated; and no man is a safe legislator or representative of the people who favors the indirect violation of the Constitution of the United States.

Mr. CHAMBERLAIN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho further yield to the Senator from Oregon?

Mr. HEYBURN. Certainly.

Mr. CHAMBERLAIN. Whatever the Senator from Idaho may say with reference to that, I ask him if there is any provision in the Constitution which requires the elector, after he has been elected, to vote for any particular candidate for President?

Mr. HEYBURN. That is a stock argument. I have heard it so often. It is a comparison that is not a comparison. It is begging the question. The Constitution provides one manner for the election of Members of the House of Representatives. It provides another method for the election of presidential electors. Is that any reason why we should change the Constitution in regard to the manner of electing United States Senators?

There was a reason for the adoption of the different methods in the beginning, and that reason is just as potent to-day as it was then.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to his colleague?

Mr. HEYBURN. Yes.

Mr. BORAH. At one time in the Constitutional Convention Mr. Hamilton suggested that Senators be elected by dividing the States into districts and electing electors, which electors should choose a Senator. If that had been done, would not the Senator have represented the State the same as he does now?

Mr. HEYBURN. Mr. President, it is equivalent to asking whether or not if the Constitution of the United States had contained the Decalogue it would not be a religious institution. The fact is that they did not do it. The fact is that Mr. Hamilton's proposition was not accepted. The fact is that his methods of government were not adopted in that regard, and what is the use of wasting time in discussing the question as to what would have happened if Mr. Hamilton or Mr. Madison or any other member of that body had succeeded in forcing upon it views that were never accepted?

Mr. BORAH. I think there is a good deal in the suggestion of the Senator that we are wasting time in the discussion, but I am not willing to admit that Mr. Hamilton did not know where the sovereignty of the States rested.

Mr. HEYBURN. Mr. President, he did not know any better than my colleague knows or than I know or than other Senators know. If we are to be governed by the rejected wisdom of the patriots of that age, there would be no limit to what we might do in interpreting the fundamental law of the land. There is no use in wasting time over it. If something else had been done we might not have been a government; we might not have endured to this day. I can imagine several things that were proposed in the Constitutional Convention that made the Constitution of the United States which would have resulted in the disruption of this Government long ago.

Mr. CHAMBERLAIN. Mr. President—

Mr. HEYBURN. I yield to the Senator from Oregon.

Mr. CHAMBERLAIN. I should like to ask the Senator if he entertains the same fear that is entertained by many who have the same opinion he has—that if the amendment his colleague is pressing prevails the States will be deprived of their equal representation in the Senate?

Mr. HEYBURN. Not equal representation now. I discussed that question the other day and I promised that I would not go over it again. It is an important question. It goes not to the question that we have under consideration to-day, but it would pertain to the question of the calling of a constitutional convention. Many of the States have requested that a constitutional convention be called. We do not need to discuss that in this hour, because we are not proposing that a constitutional convention shall be called.

Mr. CHAMBERLAIN. I call the Senator's attention to Article V of the Constitution, which provides—

Mr. HEYBURN. I am very familiar with that article.

Mr. CHAMBERLAIN. It provides—

that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

It can not be done without the express consent of that particular State. So if all the other States were to consent to a change of their representation in the Senate, still Idaho might insist that it should be represented by two Senators.

Mr. HEYBURN. As I have stated, it is not worth while to enter upon a discussion of that question. The people of the United States are greater than the Constitution; they made it. They did not create anything that was greater than all the people. If the people of the United States meet in a constitutional convention to-day, they meet there with an unlimited right to make a constitution. You can not limit it. Congress can not limit the rights of the people, nor say what they shall do when they meet in a constitutional convention. They could disregard the article to which the Senator from Oregon refers and make a constitution in which that did not appear.

When the States are calling for a constitutional convention they know not what they are doing. They know not the danger that would confront them under such circumstances. It ought to be the wish and the hope of every patriotic American citizen that we would never again meet to make a constitution. With all the conflicting interests of this day and this age, with the great corporations, with the great labor question, with the hundred issues, you never could get 90,000,000 people to agree upon a constitution. No country the size of this country could make a constitution in this age. It is only in the incipient periods of government that they can do that kind of thing.

Mr. RAYNER. Mr. President—

Mr. HEYBURN. When there is no government and when there is a necessity for the creation of a government, then the smaller number that are always represented under such conditions can agree. There is the element of necessity; there is the spur to do something that will enable the people to have laws and enforce them; but with 90,000,000 of people we

could never agree upon a Constitution. There would be the sectional questions, the race questions, the great moral questions which are before the country; they would all have a strong representation in such an organization and insist that a particular tenet should be incorporated into the Constitution. I yield to the Senator from Maryland.

Mr. RAYNER. Mr. President, if the Senator will just give me his attention for a moment; I was called out of the Hall during a part of his argument, but I wish to ask him a question. I do not suppose anyone on this floor is more familiar than the Senator from Idaho with the constitutional history of the country. I want to ask his view on this point: I adverted the other day to what was done when the States ratified the Constitution of the United States, and the senior Senator from Georgia [Mr. BACON] made an exhaustive argument on the same subject at the last session. It was done by 9 of the 13 States. The records of the other 4 States are lost, but I never had any doubt in my mind, and I do not think the Senator will have any doubt in his, that they would have adopted similar provisions. Nine of the 13 States put in the articles of ratification a construction of this fourth article, which did not give Congress the power to make, change, or alter the regulations of the States.

Now, I want to ask the Senator whether in his opinion, in arriving at the intention of the lawmakers, the best evidence of that intention is not what is contained in the articles of ratification?

I will follow that with another question. I ask the Senator whether in his opinion the Constitution of the United States would ever have been ratified if any one of those nine States had put the construction upon that constitutional article which the Senator from Idaho now places upon it?

Mr. HEYBURN. Mr. President, in the first place, the resolutions of ratification are no part of the Constitution of the United States. It has been held that they are no part of it, and they can not be appealed to in the construction of the Constitution in the Supreme Court of the United States.

Mr. RAYNER. I should like the Senator from Idaho to give me a single authority upon that subject.

Mr. HEYBURN. I might very easily be led off into a legal discussion and review of every decision of the Supreme Court in regard to this matter, but Senators must search for themselves. I take the responsibility of standing here in my place in this body and saying that the resolutions of ratification have never been held to be a part of the Constitution of the United States.

Mr. RAYNER. That is certainly true. No one would contend that the articles of ratification are a part of the Constitution of the United States, because, if they were, they would be in the Constitution. But are not the articles of ratification the best evidence of what the States intended when they ratified the Constitution?

Mr. HEYBURN. They are not evidence at all.

Mr. RAYNER. One moment. When Virginia, North Carolina, Rhode Island, Massachusetts, and all the States placed in their articles of ratification a provision that they would not ratify the Constitution if it meant what the Senator says it means—that Congress should make and alter the regulations—does the Senator say that is no evidence at all of the intention of the States?

Mr. HEYBURN. The intention of men in a State is one thing. I repeat that the resolution of ratification has never been held, and I assert it never will be held, to be a part of the Constitution or proper for consideration in the interpretation of any provision in the Constitution of the United States. The Senator will search in vain through the decisions of the Supreme Court of the United States for a reference to them in aid of the interpretation of any provision in the Constitution of the United States. When that great charter was written, it excluded everything that had preceded it in the way of argument as to why it was written. Through all the consideration given to the Constitution by the great jurists who had to deal with it in the first 30 years of the life of our country there is no decision based upon the ratification or the terms of the ratification of the Constitution. The Constitution was complete in itself, sufficient to enable the courts to establish a rule that could not be tempered by the resolutions of ratification, and we must consider it in this day.

Are we to shake the foundation of the Constitution by an appeal to that which transpired in the constitutional convention or in the proceedings of the States when they were considering its ratification? In the hour when we enter upon that method the Constitution will lose its great character that has been the safeguard of this Government. Certainty in the law, certainty in its meaning and in its execution, is of first impor-

tance. Can you come in 100 years after the making of such an instrument and show by irresponsible action of men—and it was irresponsible—that they did not mean what they said when they ratified, not the resolutions—they did not ratify the resolutions—but ratified the Constitution which did not contain the resolutions?

Mr. President, the question is, Shall it be changed? What has arisen in this country that justifies, much less demands, its change? Of course, it could be changed in many ways, perhaps, without destroying its efficiency as a basis for government, but the question now is not could it be done, but should it be done. What will be the demand to-morrow do you think? What will be proposed as the next amendment to the Constitution of the United States?

I know men who will be clamoring for a change in the manner of electing the President of the United States. I know men who will be clamoring for the recall of the Representatives of the States from Congress. I will not believe that there is a Senator in this body who would support such a proposition, yet I have seen it in print recently that the Constitution should be changed so as to permit a recall of the Representatives of the States in both Houses of Congress. What next? To destroy the life tenure of the judges will be the next one. Those who do not know the Constitution, who have no intelligent conception of its purpose, would support such an amendment. To limit the tenure of office and inject ambition and politics into the United States Supreme Court and break down the stability of our Government is one of them. Just start this raid upon the Constitution once and see where it will end.

You will see men standing up and claiming that the people are clamoring for it. The only people who are clamoring for those things are those who have no proper conception of the purpose of the system of our Government. Just open this door once and you will see. It will not be opened, thank God. The States will reject your proposition, and there will be hours and years for discussion among the people. The people love the Constitution of the United States and the Government that it stands for, and their vengeance will fall upon those whom they discover in the act of trying to subvert it and change it to the passing whims and fancies of a period of time where men's ambition is clamoring for a change of conditions in order that they may gain something. The people will awaken to this fact.

Mr. CUMMINS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. HEYBURN. Yes; I yield.

Mr. CUMMINS. I understood the Senator to say a few moments ago that under certain influences, which he described, the voters of the United States had become incompetent and unfit to elect Senators by direct vote.

Mr. HEYBURN. Either the Senator's ears or my tongue must be out of order—one or the other.

Mr. CUMMINS. I am sure it was the Senator's tongue, for I could not have misunderstood his very studied reference to the influences of immigration and the consequent deterioration of the citizen of the United States. Immigration has brought us men, as claimed by the Senator, without tradition, without sentiment for free institutions, without the understanding of free institutions. Did not the Senator a few moments ago make the argument I have just cited?

Mr. HEYBURN. I am unable to see the connection between that statement and the first. I presume the Senator can connect them.

Mr. CUMMINS. The Senator was proceeding to decry the amendment to the Constitution because, he asserted, legislatures would elect better men to the Senate of the United States than the voters he described would elect to the Senate of the United States. That was the conclusion of the Senator's argument. Am I not right?

Mr. HEYBURN. I will tell the Senator what I said, and I will apply it. The Senator seems to have been unable to apply my remarks to the question under consideration.

Mr. CUMMINS. I often find myself unable to apply not only the remarks of the Senator from Idaho, but a great many other remarks I hear on the floor.

Mr. HEYBURN. To take up distinct subjects and embody them into a continuous question presents a difficult problem sometimes.

Mr. CUMMINS. I think this is a difficult problem for the Senator.

Mr. HEYBURN. Now, let us see what I will do with the problem. I referred to the standard of the new citizenship in connection with the question of the conservative, reliable element of the American people that must be depended upon to maintain the traditions and the principles of our Government.

I never will retreat from that statement. Our immigration is made up from men who are not familiar with American institutions. The great majority of them know nothing of the history out of which present conditions grew. The great majority of them know nothing of the traditions of the Government as crystallized and embodied in the laws that govern us, and too often their first effort is to change a law which is a surprise to them, or inconvenient, as it may be.

Mr. CUMMINS. Mr. President—

Mr. HEYBURN. Just a moment. I do not apply that to all the citizenship that comes to us. I was simply issuing a warning against taking the judgment of that predominant element as against the judgment of those trained and born through their ancestry as a part of this Government.

The PRESIDING OFFICER. Does the Senator from Idaho yield further to the Senator from Iowa?

Mr. HEYBURN. Certainly.

Mr. CUMMINS. It is perfectly clear that I was right, and the conclusion which the Senator from Idaho drew from his premises was that it was unwise to extend to these voters the further power and privilege to elect directly Senators of the United States.

Mr. HEYBURN. Yes; that is right.

Mr. CUMMINS. I am quite right. Now, may I ask the Senator another question?

Mr. HEYBURN. Certainly; and I will answer the question, but I do not want to go off into that field of argument.

Mr. CUMMINS. Before the Senator answers me I want to add to it another question, which I am sure he will be willing to answer at the same time. He believes that the legislatures of the several States are better fitted to elect Senators than the voters in their primary capacity. I have no doubt he believes that honestly. I suppose he has fair respect for the present membership of the Senate of the United States, has he not?

Mr. HEYBURN. I think the Senator had better withdraw that question. It implies that I do not.

Mr. CUMMINS. No.

Mr. HEYBURN. And a Senator—

Mr. CUMMINS. No; on the contrary—

Mr. HEYBURN (continuing). Who will stand here and attack the ability or integrity of a fellow Member is not a man to be heard on this floor.

Mr. CUMMINS. On the contrary, it implies that he has the respect of which the Senator spoke. It was simply a prelude to the further question, which is, How many Senators now sitting in the Senate of the United States were, in fact, selected by the legislatures of their several States and how many are the choice of these same voters expressed in some form of primary?

Mr. HEYBURN. Very well; I will find out. Does the Senator from Iowa represent the will of the people of Iowa? I will commence and I will catechise a few Members and find out whether any of them will acknowledge that they are not here by virtue of the exercise of an honest judgment.

Mr. CUMMINS. I will answer the Senator from Idaho, although I am sure if he would simply recur to the laws of the several States he would know what proportion of the membership of this body has been in fact selected by the legislatures. Now, answering for myself, I will say that I was selected by a primary vote in my State, and, in my opinion, if I had not made many, many struggles before the primary voters of my State and if I had depended simply upon the will or wish of a legislature, brought together as legislatures are ordinarily brought together, I never would have been in the Senate of the United States.

Mr. HEYBURN. Mr. President, I will not join with the Senator from Iowa in discrediting the State of Iowa or the legislature of it. I will not accept the statement of the Senator from Iowa that the Legislature of Iowa is corrupt or was corrupt, or that the State of Iowa is not capable of selecting an honest legislature.

Mr. CUMMINS. Mr. President, I have said nothing of that sort. I only say it would have selected, probably, had not the influence of the primary been brought upon it, some other man to represent it in the Senate of the United States, and that man—

Mr. HEYBURN. Some bad man?

Mr. CUMMINS. That man might have represented the State far better than I can possibly represent it; but I am not going to admit it.

Mr. HEYBURN. Would they have selected some bad man for the Senate?

Mr. CUMMINS. I hope not, Mr. President, but the chances are that he would have been a man holding different views from those which I hold.

Mr. HEYBURN. Would the Senator object to placing in a receptacle of some kind the names of the Senators who, in his judgment, are not entitled to seats on this floor?

Mr. CUMMINS. Mr. President, the Senator from Idaho is illogical, as he generally is, and facetious, as he always is. I have not suggested that the legislatures of the several States who have elected men without the interference or influence of a primary have not elected good men, but the Senator from Idaho is insisting throughout a long course of argument that if the voters of the United States be permitted to say who shall be their Senators then this body will be overrun by a crowd of incompetent and unfit and rash and socialistic and radical men who have no proper views of government. I am simply recalling to his attention the fact that the people of this country, in despair of amending the Constitution, have accomplished this reform for themselves.

Mr. HEYBURN. Like a burglar.

Mr. CUMMINS. In an irregular way, I agree, but they have accomplished it.

Mr. HEYBURN. Like a burglar.

Mr. CUMMINS. And they have accomplished it so effectively that, whether the Constitution is amended or not, the people in many or most of the States will choose their own Senators.

Mr. HEYBURN. Mr. President, the Senator has made an assertion as to what I have said that has no foundation and will not be found in any record on earth, not even in an irresponsible newspaper—that is, that the people of the United States are incompetent—

Mr. CUMMINS. Mr. President—

Mr. HEYBURN. Just a moment.

Mr. CUMMINS. I am going to retract if I have made any such statement.

Mr. HEYBURN. The Senator makes that statement. He says I have stated that if the people elected Senators they would be incompetents. I use the word "incompetents" to include all the various designations that he used. I have said nothing of the kind, here or elsewhere, and I believe nothing of the kind. The Senator made that statement and then rushed along to another subject not germane to it, so that I might, perchance—I do not mean that he did it with that idea—but so that I might, perchance, overlook the fact that he charged me with entertaining and expressing views that I have never entertained and expressed. I have confidence in the people of the United States that they have too much sense to change the Constitution of the United States, and that will be impressed upon the memory of the Senator from Iowa and upon the memory of all Senators. This body of 92 men may demand a change in the Constitution, but the people of the United States, the composite wisdom of the people of the United States, will not justify them nor support them.

Mr. CUMMINS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. HEYBURN. I do.

Mr. CUMMINS. That, Mr. President, is a matter for the future. But if I have misunderstood the Senator from Idaho, I am quick to express my regret for the misunderstanding and my great pleasure to discover that I did misunderstand him. If the Senator from Idaho believes, as he now says, that the people of this country can wisely and safely and patriotically elect their Senators, then, of course, the whole argument is at an end.

Mr. HEYBURN. Mr. President, the American people are capable of maintaining a good government and of selecting wise, intelligent men to exercise the right of government for them. They elect to the other House of Congress men who in character and ability are the equals of the men who occupy seats in this Chamber; and I have never intimated, and no man can charge me with ever having said, that the people are not capable of selecting wisely when they choose their representatives. I have talked about the States and I have talked about the manner in which the people in the States could best exercise their duty to choose Members of this body. I do not necessarily condemn every other man; I do not necessarily have to abandon an existing provision of the Constitution merely because some other provision might be made or might work equally well. Is this attempt to amend the Constitution simply an experiment to see whether or not something else might not do as well? Is that a sufficient motive; is that a sufficient reason for the amendment of the Constitution? They have brought in this proposition and then go out to seek for reasons and justification for it.

This measure is not in response to the constitutional number of States who may require us to act or who may act upon this question. Suppose, for instance, as the law provides, a jury

of 12 men shall be summoned to try a cause. If 11 of them are of one opinion, does that justify the rendering of a verdict? Would the court receive the verdict because it represented the sentiment of the majority?

The Constitution says that we may propose amendments to the people. That is the subject under discussion; but Senators have continually forced upon our attention the fact that a certain number of States, less than the constitutional number, have demanded a change in the method of electing Senators.

If one less than the constitutional number demands it, it does not justify our action on the ground that the people have demanded it. It requires the constitutional number of States to express an opinion upon which we may act. A jury can not render a verdict upon the judgment of 11 men, nor can we act under the claim of justification by public demand unless that proportion of the public named in the Constitution demands the change. There has never been a time when the constitutional demand for the proposed amendment has been made upon Congress. There are to-day not to exceed 19 States which have asked Congress to take this action. Congress does not require any demand, but Senators here place their claim for support upon this alleged demand of the States. When a sufficient number of States come to Congress demanding a constitutional change, I would be the last man in the world to stand here and oppose it, for it is a constitutional right; but until they do, I do not propose to be dragooned into the support of a measure under the pretense that it is in answer to a popular demand, when there is no demand that should appeal to us. When Senators vote for a proposed constitutional amendment such as is before us, they must do so on their judgment, and the Senator who does not do so on his judgment is not justified in doing so at all.

The people, however, will have a chance to deal with this question; and as this is the last time that I expect to speak upon it at this session of Congress, and I hope forever, I have felt impelled to present the views that I have expressed this afternoon. Let it go out to the people of this country that you are proposing to experiment with the Constitution and to make a change for which there is no sufficient reason—a change that is a charge in itself against the integrity and ability of the people who select the State legislatures—and they will resent it.

You are going to send the proposed amendment to the discredited tribunals, the legislatures of the States who, you say, are not fit to select Senators, and yet those legislatures are to pass upon this question. Are they better fitted by intelligence or integrity to pass upon the wisdom of this amendment to the Constitution than they are to pass upon the selection of a United States Senator?

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the senior Senator from Idaho yield to his colleague?

Mr. HEYBURN. I do.

Mr. BORAH. I desire to ask, Is there any other body to which we can submit this question for ratification? If we could submit it direct to the people, I should be very glad to do so.

Mr. HEYBURN. Well, Mr. President, inasmuch as it ought not to be submitted at all, I do not think I need go out and hunt some person to whom to submit it. But does the Senator remember that in history he is told that the makers of the Constitution submitted it to the legislatures of the States? Were those legislatures fit to pass upon the creation of the Constitution and all that is in it? Of course it was ratified by the legislatures of the States. How does the Senator suppose it was ratified?

Mr. BORAH. It was ratified by conventions elected for that purpose.

Mr. HEYBURN. It was left to the States, and the legislatures created the conventions. Were those legislatures, those incompetent, corrupt, inefficient bodies selected from the best citizenship of the States fit to create conventions? Are those legislatures to be discredited because they are not fit, are not competent, can not be trusted to elect Senators, when every Member of this body was elected by a legislature? Is there any Senator here who will dare send back home the message that the legislature which elected him was corrupt and inefficient? It might probably affect his return.

I should like to see some Senator rise in his seat and say that the legislature of his State which elected him was not competent, was not fit, was not honest enough to be trusted. [Laughter.] Then I should be interested to see him go back and say "I am a candidate for reelection." [Laughter.]

Mr. President, the next time I speak upon this question it will be to the people in the States.

EXECUTIVE SESSION.

Mr. GALLINGER. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 5 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 47 minutes p. m.) the Senate adjourned until to-morrow, Thursday, June 8, 1911, at 2 o'clock p. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 7, 1911.

UNITED STATES DISTRICT JUDGES.

Henry A. Middleton Smith to be district judge for the district of South Carolina.

James D. Elliott to be district judge for the district of South Dakota.

PROMOTIONS IN THE NAVY.

Lieut. Commander Frank H. Schofield to be a commander.

The following-named ensigns to be lieutenants (junior grade):

Owen Bartlett,
Henry G. Fuller,
George E. Lake,
Fred F. Rogers, and
Arthur A. Garcelon, jr.
The following-named midshipmen to be ensigns:
Ralph D. Weyerbacher,
William W. Smith,
Luther Welsh,
David I. Hedrick,
Carl P. Jungling,
Olaf M. Hustvedt,
Gaylord Church,
Harold T. Smith,
Cummings L. Lothrop, jr.,
Preston B. Haines,
Herbert R. A. Borchardt,
Thomas B. Richey,
Robert S. Robertson, jr.,
Gerard Bradford,
Mark L. Hersey, jr.,
Frank T. Leighton,
Alva D. Bernhard,
Chester S. Roberts,
Penn L. Carroll,
Benjamin V. McCandlish,
Daniel A. McElduff,
Arthur S. Dysart,
Hugh P. Le Clair,
Phillip F. Hamsch,
Edmund S. R. Brandt,
Ralph D. Spalding,
James D. Maloney,
Alan G. Kirk,
Fitzhugh Green,
Levi B. Bye,
Granville B. Hoey,
Tracy L. McCauley,
Francis W. Scanland,
Joel W. Bunkley,
Max B. De Mott,
Ernest J. Blankenship,
John J. Saxer,
Leo L. Lindley,
Harold C. Train,
Richard McC. Elliot, jr.,
Lee P. Johnson,
Monroe Kelly,

Alfred L. Ede,
Raymond E. Jones,
Marion C. Robertson,
Edward C. Ragnet,
Ward W. Waddell,
Charles C. Davis,
Robert R. Paunack,
Frank D. Manock,
George K. Stoddard,
Williams C. Wickham,
Freeland A. Daubin,
Anson A. Merrick,
Hugh V. McCabe,
Paul H. Rice,
William C. Faus,
Radford Moses,
Thomas E. Van Metre,

John H. S. Dessez,
Stuart S. Brown,
Richard W. Wuest,
Charles H. Morrison,
Robert G. Coman,
William C. Bartlett,
Holbrook Gibson,
Howard H. J. Benson,
William D. Billingsley,
Virgil J. Dixon,
James B. Glennon,
Franklin Van Valkenburgh,
Vance D. Chapline,
Charles S. Yost,
Frank A. Braisted,
Robert E. Thornton,
John Borland,
Oscar C. Greene,
Raleigh C. Williams,
Thalbert N. Alford,
Eugene M. Woodson,
James S. Spore,
Charles H. Maddox,
Edgar A. Logan,
Benjamin F. Tilley,
Mark C. Bowman,
Harold A. Waddington,
Percy W. Northcroft,
Augustine W. Rieger,
James B. Rutter,
Cyrus D. Gilroy,
Theodore H. Winters,
Robert P. Guiler, jr.,
Ralph G. Haxton,
Charles M. Elder,
James M. Doyle,
Creed H. Boucher, and
Henry T. Settle.

POSTMASTERS.

IOWA.

H. E. Deater, Shenandoah.

MICHIGAN.

A. J. Glover, Galien.

John T. P. Smith, Clarkston.

NEBRASKA.

William R. Pedley, Bertrand.

OREGON.

John A. Stevens, Dufur.

VIRGINIA.

Charles C. Bolton, St. Paul.

A. P. Calfee, Basic City.

Charles A. Lacy, Houston.

John Henry Scott, Saltville.

Clinton L. Wright, Norfolk.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, June 7, 1911.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, author of our being and bestower of every good gift, we lift up our hearts in gratitude to Thee for all Thy favors, and we most fervently pray that Thy spirit may so completely possess us that it may crowd out of our being all evil desires and sinful propensities, that we may hallow Thy name in all that we undertake this day, that no sorrows, no regrets shall follow in its wake to disturb our peace and happiness, and we will ascribe all praise to Thee through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALENDAR WEDNESDAY.

Mr. SIMS. Mr. Speaker, I ask to submit a request for unanimous consent.

The SPEAKER. The Chair would desire to inquire of the gentleman from Tennessee what it is about.

Mr. UNDERWOOD. Will the gentleman yield to me for a moment?

Mr. SIMS. I yield to the gentleman from Alabama for a moment.

The SPEAKER. The Chair desires to announce to the House that this is Calendar Wednesday, and no business is in order except a motion to dispense with it or to take up the business that comes up on Calendar Wednesday.

Mr. UNDERWOOD. Mr. Speaker, I have consulted with the gentleman from Illinois, the leader of the minority, and we have agreed between ourselves that the business on the calendar is not of such great importance as makes it necessary to call it up to-day, and I therefore move to dispense with the business of Calendar Wednesday.

The SPEAKER. The gentleman from Alabama moves to dispense with the business on Wednesday's calendar.

The question was taken, and, in the judgment of the Chair two-thirds having voted therefor, the motion was agreed to.

Mr. SIMS. Mr. Speaker—

The SPEAKER. The Chair desires to recognize another gentleman from Tennessee first, and then he will recognize the gentleman from Tennessee.

STATISTICS IN REGARD TO SCHEDULE K.

Mr. HULL. Mr. Speaker, I desire to submit the following privileged report (No. 48) from the Committee on Ways and Means on House resolution 177.

The SPEAKER. The gentleman from Tennessee submits a report on a privileged matter, which the Clerk will read.

The Clerk read as follows:

House resolution 177.

Resolved, That the President of the United States be, and he is hereby, requested to transmit to the House of Representatives, for the use of the Members thereof, all the information secured and the tables and statistics prepared by the board of experts, composed of Henry C. Emery, James B. Reynolds, Alvin H. Sanders, William M. Howard, and Thomas W. Page, relating to the various articles and commodities named in Schedule K of the act approved August 5, 1909, being "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," and relating to wool and manufactures thereof.

The report was read as follows:

Mr. HULL, from the Committee on Ways and Means, submitted the following report:

"The Committee on Ways and Means, to whom was referred House resolution 177, calling on the President to transmit to the House of Representatives certain data and statistics relating to Schedule K of the existing tariff law, having had the same under consideration, beg leave to report with the recommendation that it do pass."

Mr. HULL. Mr. Speaker, I yield 15 minutes to the gentleman from Minnesota [Mr. ANDERSON].

Mr. ANDERSON of Minnesota. Mr. Speaker, I anticipate that the purpose of this resolution is so self-evident as to make any discussion of its object unnecessary, but it is perhaps not improper to briefly discuss the propriety of its passage at this time. I do not know much about the details of the tariff, but such ideas as I have about the tariff in general are fairly well defined. I recognize that great line of demarcation which separates the ideas and ideals in tariff legislation of gentlemen on that side of the aisle and the ideas and ideals of gentlemen on this side of the aisle. I recognize, of course, the fundamental difference in principle between a tariff levied primarily for protection and a tariff levied primarily for revenue, but I have come to regard the levying of the tariff whatever the underlying and basic principal as an economic rather than a political problem, and as one which should be solved in the light of a full, complete, accurate, and scientific knowledge of the facts and with due regard to the definitely ascertained necessities of our industrial institutions. It is conceded on every side that whatever the basic political principle involved in levying the tariff may be the inevitable consequence is that certain industries receive a benefit in the way of protection and that a practically corresponding burden is imposed upon the people. These advantages ought not to be extended or these burdens imposed without accurate knowledge of their propriety or necessity. Great injustice and great inequalities must necessarily result from such a course.

In my optimistic moments I have hoped that the time would come when tariff bills would be measured and their merits or demerits determined, not altogether by the height of the wall erected against foreign competition or the amount of revenue raised by them but rather by the justice and equality which characterized the distribution of their benefits and burdens, when accurate information would make possible the scientific adjustment of the tariff to known industrial necessities and the conservation of the welfare of the whole people. I have believed and still believe that the creation of a board of tariff experts would greatly assist in obtaining such information.

The employment of the present board of experts was authorized by the tariff act of August 5, 1909. The continuance of the board was insured by an appropriation contained in the

sundry civil act approved March 4, 1911, which provided in part—

To enable the President to secure information to assist him in the discharge of the duties imposed upon him by section 2 of the act entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909, and the officers of the Government in administering the customs laws, including such investigations of the cost of production of commodities, covering cost of material, fabrication, and every other element of such cost of production as are authorized by said act, and including the employment of such persons as may be required for those purposes; and to enable him to do any and all things in connection therewith authorized by law, or if a tariff board be established by law then for the purpose of meeting the expenditures authorized by the law, \$225,000, together with the balance unexpended July 1 next of the appropriation made for these purposes for the fiscal year 1911.

I want to call particular attention to the next paragraph:

The Tariff Board, if established by law, shall make report to each House of the Congress on the wool and woolen schedule not later than the first Monday in December, 1911.

This paragraph is not applicable to or binding upon the existing board of experts, but I am informed that the board has for several months been engaged in gathering the necessary information to enable them to comply with this provision of the law. I am frank to say that I do not know what or how much information the board has gathered on the wool schedule, but I do contend that the Congress of the United States and the country are entitled now, when we are about to enter upon a revision of the wool schedule, to have such information and statistics as the board has gathered on that schedule.

The wool schedule is one of the most important of the tariff schedules. It requires a very high degree of technical and accurate information in its revision. We ought to have at least such information as is now available upon it. We should have that information now, when it will be of some use.

Now, it may be claimed that the Tariff Board has not completed its investigation and ought not to be required to report at this time for that reason. But, conceding that the investigation is not completed, that fact ought not—and, I am sure, will not—affect the accuracy of the information thus far obtained or the propriety of considering that information in connection with the proposed revision of the wool schedule.

The report of the Tariff Board will not in any event be binding upon Congress. It will only be considered for whatever it may show itself to be worth. If it contains information which tends even in a slight degree to assist the Congress in equalizing the burdens which the proposed wool schedule must inevitably impose upon the people, it will have been justified.

For the considerations which I have thus briefly urged I trust the resolution will pass. [Applause.]

Mr. HULL. Mr. Speaker, if no other gentlemen desire time to discuss the resolution, I shall ask for a vote.

Mr. MOORE of Pennsylvania. Mr. Speaker—

The SPEAKER. Does the gentleman from Tennessee yield to the gentleman from Pennsylvania?

Mr. HULL. How much time does the gentleman desire?

Mr. MOORE of Pennsylvania. I only want to ask the gentleman a question. This resolution provides that the President shall forward such information as the Tariff Board may have already obtained with regard to Schedule K. Does not the act creating the Tariff Board provide that the report of that board shall come in in a regular way about the 1st of December?

Mr. HULL. As I recall the provisions of that act, there is no specific time designated in which the report shall be made.

Mr. MOORE of Pennsylvania. Will not the passage of this resolution at this time tend to delay the complete work of the Tariff Board with regard to Schedule K? That is to say, if taken away from its duties of investigation and made to report in a partial way at this time, will it not delay the general work that Congress committed to the Tariff Board?

Mr. HULL. I am unable to see how it could operate to delay the work of the board. They are understood to have been engaged on it for some months, and they are, of course, familiar with the progress of a similar investigation here, and that they would doubtless be expected to furnish the House with such available information and facts as they had acquired up to this time.

Mr. MOORE of Pennsylvania. May I ask the gentleman whether there is reason to believe, on the part of the proponent of this resolution or of the committee reporting it, that the Tariff Board is now prepared to report in full its investigations upon Schedule K?

Mr. HULL. I can only say that it would be natural to believe that after several months' work in this connection the board would have some tangible facts and data compiled that would be of some value in connection with this bill.

Mr. MOORE of Pennsylvania. Does the gentleman think that the preparation of the partial report called for by this resolution would not impede the regular work of the Tariff Board, as provided by the act creating the board?

Mr. HULL. I do not think so. I ask for a vote, Mr. Speaker. The question being taken, the resolution was agreed to.

TOBACCO TRUST PROSECUTIONS.

Mr. CLAYTON. Mr. Speaker, I present a privileged report (No. 49) from the Committee on the Judiciary.

The SPEAKER. The gentleman from Alabama brings up a privileged report from the Committee on the Judiciary, which the Clerk will report.

The Clerk read as follows:

House resolution 193.

Resolved, That the Attorney General of the United States be, and he is hereby, directed, if not incompatible with the public interest, to report to the House of Representatives for its information—

Whether any criminal prosecutions have been begun or been had against the American Tobacco Co., or any of its constituent companies or associations, or any of the corporations, companies, or associations constituting what is commonly called the Tobacco Trust, or against any of the individuals connected with or associated with the American Tobacco Co., or any of its constituent companies or associations, or connected with or associated with any of the corporations, companies, or associations constituting what is commonly called the Tobacco Trust, for violation of any provision of the act entitled "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890; and, if not, why such criminal prosecutions have not been begun or been had; and

Whether any criminal prosecutions are contemplated by the Department of Justice against the American Tobacco Co., or any of its constituent companies or associations, or any of the corporations, companies, or associations constituting what is commonly called the Tobacco Trust, or against any of the individuals connected with or associated with the American Tobacco Co., or any of its constituent companies or associations, or connected with or associated with any of the corporations, companies, or associations constituting what is commonly called the Tobacco Trust, for violation of any provision of the act entitled "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890; and, if not, why such criminal prosecutions should not be had.

The report (by Mr. CLAYTON) was read, as follows:

The Committee on the Judiciary have had under consideration House resolution 193, directing the Attorney General to furnish information regarding criminal prosecutions against the American Tobacco Co., and report the same back to the House with the recommendation that it be passed.

Mr. MANN. I reserve a point of order on this.

The SPEAKER. The gentleman from Illinois [Mr. MANN] reserves a point of order.

Mr. MANN. The resolution is subject to a point of order, although I see no reason myself why it should not be passed.

Mr. CLAYTON. Then I hope the gentleman will waive the point of order, thus avoid a debate, and let us pass the resolution at once.

Mr. MANN. I intend to waive the point of order, unless someone else desires to raise it. I withdraw the point of order, although I will say to the gentleman that resolutions asking for reasons are subject to a point of order.

Mr. CLAYTON. Inasmuch as the gentleman has waived it, I do not care to debate that point of order, though I am prepared to debate it, and I do not think the resolution is subject to the point of order suggested by the gentleman. He has, however, contributed to my happiness, and, I doubt not, to the happiness of the House, by waiving the point of order and permitting the resolution to be passed at once.

Mr. MANN. I withdraw the point of order; but I will say to the gentleman that it has been repeatedly held that to ask a department for reasons was not asking for information, and was not privileged.

Mr. CLAYTON. I ask for a vote.

The SPEAKER. The question is on the adoption of the resolution offered by the gentleman from Alabama [Mr. CLAYTON]. The question being taken, the resolution was agreed to.

SPEECH OF PRESIDENT TAFT AT CHICAGO.

Mr. SIMS. Mr. Speaker, I want to ask unanimous consent that 5,000 copies of the address of President Taft before the Western Economic Society at Chicago June 3 be printed as a House document and placed in the folding room to the credit of the Members.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that 5,000 copies of the President's speech before the Western Economic Society at Chicago last Saturday night be printed as a public document and placed in the folding room to the credit of the Members.

Mr. CANNON. Mr. Speaker, who makes that request?

The SPEAKER. The gentleman from Tennessee [Mr. SIMS].

Mr. CANNON. I would like to ask the gentleman from Tennessee if this is by caucus action? [Laughter.]

Mr. SIMS. It is certainly without caucus opposition. [Laughter.]

Mr. MANN. Mr. Speaker, I suggest to the gentleman from Tennessee that that speech has already been ordered printed as a Senate document. I will ask him whether he wants it printed as a House document, or 5,000 extra copies of the Senate document?

Mr. SIMS. I did not know that it had been printed as a Senate document, but whichever way will be the most economical and desirable will be satisfactory to me. I care not so that the House gets the 5,000 copies.

Mr. MANN. I suppose it makes no great difference, although it is not customary to order Senate documents reprinted as House documents.

Mr. WILSON of Illinois. Will the gentleman yield?

Mr. SIMS. I yield to the gentleman.

Mr. WILSON of Illinois. Might I suggest to the gentleman from Tennessee to have printed and attached to this speech the editorial in the Commoner by Mr. Bryan?

Mr. SIMS. I have not seen the editorial referred to, but I presume it is a worthy document. I am willing to take that up with the gentleman later. [Laughter.]

Mr. MOORE of Pennsylvania. Will the gentleman yield to me?

The SPEAKER. Does the gentleman from Tennessee yield to the gentleman from Pennsylvania?

Mr. SIMS. I do.

Mr. MOORE of Pennsylvania. I want to ask the gentleman from Tennessee if he makes this proposition of his own volition?

Mr. SIMS. I do.

Mr. MOORE of Pennsylvania. Without suggestion?

Mr. SIMS. Yes; without suggestion. I did ask the gentleman from Alabama [Mr. UNDERWOOD] if he had any objection, and he said he had none.

Mr. MOORE of Pennsylvania. I observed in the newspaper this morning that the gentleman was about to do this gracious act, and I thought he might inform us if he did it of his own free will.

Mr. SIMS. Of my own unrestrained will, as I have stated.

Mr. FITZGERALD. Will the gentleman from Tennessee yield?

Mr. SIMS. I will.

Mr. FITZGERALD. The gentleman asked that these go to the folding room. Why not put them in the document room, where they can be had just as well by Members?

Mr. SIMS. I want to send them out to my constituents and to such persons as feel interested enough to ask for them.

Mr. FITZGERALD. Some Members may not care to have them. Some equally good Democratic speeches have been made on the same subject.

Mr. SIMS. As far as I am concerned, I am more anxious to have them printed and read than to have them placed in any particular place.

Mr. CANNON. Will the gentleman from Tennessee yield for a moment?

Mr. SIMS. Certainly.

Mr. CANNON. I take it that this speech has already received a reading by many people in the Republic. So far as I have noticed, there has been no speech made within my recollection that has been so universally sent by the press dispatches and so universally printed in the metropolitan papers, having in the aggregate many, many millions of subscribers. I shall not object to the request of the gentleman from Tennessee, but as a public document to be sent out at the expense of the Government, after the vast publicity that has already been given to it, there is a query whether it will not be like many other public documents—antiquated before it is received. I shall not object.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none.

COMMITTEE ON EXPENDITURES IN THE STATE DEPARTMENT.

Mr. HAMLIN. Mr. Speaker, I ask unanimous consent that the Committee on Expenditures in the State Department, or any subcommittee thereof, may have the privilege of sitting during the sessions of the House. (H. Res. 193.)

The SPEAKER. The gentleman from Missouri asks unanimous consent that the Committee on Expenditures in the State Department, or any subcommittee thereof, have leave to sit during the sessions of the House. Is there objection?

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. HAMLIN. Certainly.

Mr. GARRETT. Did not the resolution reported from the Committee on Rules authorize this work to go on during the sessions of the House?

Mr. HAMLIN. That was only to sit during vacation.

Mr. GARRETT. I have no objection.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none, and it is so ordered.

THE WOOL SCHEDULE.

Mr. UNDERWOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 11019, a bill to reduce the duties on wool and manufactures of wool, and pending that motion I ask unanimous consent that all gentlemen who speak on this bill may have five days after the vote on the bill is taken to extend and revise their remarks in the RECORD.

The SPEAKER. Five legislative days or five calendar days?

Mr. UNDERWOOD. Five legislative days.

The SPEAKER. The gentleman from Alabama moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 11019, a bill to revise the wool schedule, and pending that he asks unanimous consent that all Members who speak on this bill shall have five legislative days after the bill is voted upon in which to print remarks on the same. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Alabama [Mr. UNDERWOOD] whether he thinks that would permit the insertion very liberally in speeches that are extended and not delivered of such language as "applause," "wild and tumultuous applause," and language of that character? I notice in a speech that was printed in the RECORD the other day the statement was made amidst applause, "Jesus was born in a manger, and John the Baptist fed on locusts and wild honey." Mr. Speaker, I had not supposed that a statement of that kind was so new to Members of the House that it was needed to be received with applause. I do not know whether it was received with applause, though I apprehend that the word "applause" in that place and various other places in that speech or other speeches was inserted not by the reporters of the House, but by some other gentleman. Now, I have no objection to gentlemen who speak having the right to revise and extend their remarks in the RECORD in a legitimate way, but it seems to me that when we grant the right in this way there ought to be some limitation upon the propriety of the extension and the insertions in the speech, and unless such proprieties can be observed when such a request is made hereafter I shall object.

Mr. PAYNE. Mr. Speaker, will the gentleman yield?

Mr. UNDERWOOD. Certainly.

Mr. PAYNE. Mr. Speaker, I do not think the gentleman from Illinois [Mr. MANN] ought to read that language without naming the page of the RECORD on which it appeared, so that we may identify the Member, for it is a sort of reflection on all of the Members of this House if such things appear. I am apprehensive that something of that kind may have appeared in my remarks that I may have made [laughter], although I have never had any connection with anything of that kind. I think that every Member who is not guilty ought to escape, and the gentleman ought to identify the speech.

Mr. MANN. Mr. Speaker, I do not think that would be the proper thing to do. I think those things, when they have been inserted in the RECORD in the past, have been inserted through innocence, not with any intention of doing a wrong or an improper thing, and that it is sufficient to call the attention of Members of the House to such a situation without making any specific discrimination.

Mr. CANNON. Mr. Speaker, will the gentleman kindly tell us whether the word he used is spelled i-n-n-o-c-e-n-c-e or i-n-n-o-c-e-n-t-s? [Laughter.]

Mr. MANN. Well, I said "innocence."

The SPEAKER. Is there objection. [After a pause.] The Chair hears none, and it is so ordered.

Mr. UNDERWOOD. Mr. Speaker, pending the motion, I desire to submit a further request for unanimous consent, that the debate on this bill shall be equally divided between the two sides of the House, one-half of the time to be controlled by myself and one-half of the time to be controlled by the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. Mr. Speaker, if the gentleman will allow me, I desire to state that the gentleman from Connecticut [Mr. HILL] has gone home ill. He had some observations that he wanted to make upon this bill, and it was agreed between him and the gentleman from Alabama that they should be inserted by unanimous consent. I ask the gentleman from Alabama that he couple that with his request and that those remarks, which I will hand in to the reporters, may be inserted after the opening speech is made on that subject.

Mr. UNDERWOOD. Mr. Speaker, I will say to the gentleman from New York that I will submit that as a separate request as soon as I get through this other.

Mr. PAYNE. Very well.

Mr. MADISON. Mr. Speaker, will the gentleman yield?

Mr. UNDERWOOD. Yes.

Mr. MADISON. I would like to inquire if the gentleman expects to submit any request with regard to the limitation of general debate?

Mr. UNDERWOOD. Not at this time.

Mr. MADISON. May I be pardoned if I suggest that a request of that kind be preferred, and that general debate be limited to a short period of time, say, for instance, three days, and that then we have real discussion at the only time when the Members of the House are present and when real discussion counts—that is, under the five-minute rule? Now, will the gentleman indulge me for just a minute more?

Mr. UNDERWOOD. Certainly.

Mr. MADISON. I think all Members want to hear the gentleman from Alabama. They want to hear the gentleman from Illinois [Mr. MANN], the gentleman from New York [Mr. PAYNE], and a few others on each side, men who have studied these questions and who can give real information. For instance, this morning one of the important committees of the House, a special investigating committee, adjourned in order that we might be here and hear those gentlemen, but gentlemen understand that after those gentlemen have been heard the general debate in the House is largely a farce, and that the only people here listening to the discussion are those who are waiting opportunity to speak. Now, under those circumstances I hope to be pardoned for making the suggestion that the time of the general debate be short, and that the time for discussion under the five-minute rule, when all Members are here and when discussion will be effective, be extended.

Mr. UNDERWOOD. Now, I will say to the gentleman from Kansas that I consider this a very important measure. I think there ought to be latitude for reasonable debate on both sides of the House. I do not think three days is long enough to allow Members to express their views who wish to enter into general debate. I hope that we can finish general debate within a week, but I have no desire to cut off any gentlemen who desire reasonable debate. Now, as to the five-minute rule I have no objection in the world to a reasonable consideration and debate under the five-minute rule provided it does not border on a filibuster. I will state that when other bills have been before the House and 50 or 80 amendments have been offered I have arisen and moved to close debate because I was compelled to do so because amendments were offered to the same point, were aimed at the same purpose, and I did not believe that they were resulting in bringing any light before the country or offered with any expectation of being passed.

Mr. TRIBBLE. Mr. Speaker—

The SPEAKER. Does the gentleman from Alabama yield to the gentleman from Georgia?

Mr. UNDERWOOD. In a minute; but I have no desire when the five-minute rule is reached on this bill to unduly limit debate under the five-minute rule, providing it is apparent to the House that the amendments offered are for the purpose of presenting a real fact relating to the bill to the country and are not in the nature of a filibuster.

Mr. DALZELL. Will the gentleman yield—

Mr. UNDERWOOD. Certainly.

Mr. DALZELL. For a question? Has not this bill as presented to the House already been adopted by a Democratic caucus?

Mr. UNDERWOOD. The Democratic Party has presented the bill, and the Democratic Party is a unit in this House and will vote for the bill as a unit.

Mr. DALZELL. Without amendment?

Mr. UNDERWOOD. Well, this is satisfactory to them; why should they amend their bill?

Mr. DALZELL. I merely wanted some light thrown upon the effectiveness of the five-minute debate.

Mr. TRIBBLE. I desire to ask the gentleman from Alabama if my constituents and the constituents of other Members here are not as much entitled to hear from us at home as the constituents of these old Members.

Mr. UNDERWOOD. Undoubtedly.

Mr. TRIBBLE. And we ask that privilege.

Mr. UNDERWOOD. As I have already stated to the gentleman from Kansas, and I will state it again to the gentleman from Georgia, I have no desire to limit debate on this proposition, unreasonably limit debate. I do not intend to do so. I have already made that statement.

Mr. TRIBBLE. Are not the new Members more subject to criticism in the revision of speeches than older Members, if there is the dotting of an "i" or the crossing of a "t" in the revision, or if the speech is longer than the time limit indicates, 5, 10, or 15 minutes yielded to a new Member, though his time may have been extended? We want time, and we want the RECORD to show it. These little things are not noted, so far as the old Members are concerned, but the new Member suffers.

There is certainly nothing personal to the gentleman from Alabama or anyone else in these questions. The gentleman from Alabama is always fair.

Mr. UNDERWOOD. Probably that is so, but there has been no disposition on my part, up to this time, in the handling of these bills to limit debate or not to yield time that was requested by gentlemen on this side of the House or gentlemen on the other side.

Mr. TRIBBLE. I grant that the gentleman is very fair.

Mr. MANN rose.

The SPEAKER. Does the gentleman from Alabama yield to the gentleman from Illinois?

Mr. UNDERWOOD. I do.

Mr. MANN. I have no complaint to make with reference to the latitude of debate that the gentleman has allowed, even though he has referred to my amendments to the free-list bill as filibustering. [Laughter.] They were not, at all. But I suggest to the gentleman that on that occasion and on this occasion, when the bill is read, there is no special reason why a majority of the House should insist upon reading the bill under the five-minute rule and concluding the reading in one day. The House might easily take more than a day under the five-minute rule. Of course, we all recognize that the debate under the five-minute rule is at least more interesting, if not more instructive, than the general debate.

Mr. UNDERWOOD. I will say to the gentleman from Illinois that the chairman of any committee having a bill before this House has got to be governed by circumstances, but, so far as I am concerned, I have no desire to unduly cut off debate, either on the general debate or debate under the five-minute rule.

Mr. MANN. I believe that there is no intention on the part of the gentleman to limit debate.

Mr. CANDLER. The gentleman means that the same method will be followed here as was followed in the discussion of the free-list bill?

Mr. UNDERWOOD. Yes.

The SPEAKER. Gentlemen desiring to interrupt a Member who has the floor will first address the Chair and obtain the permission of the Member having the floor.

The gentleman from Alabama asks that the time be controlled one-half by himself and one-half by the gentleman from New York [Mr. PAYNE], the time to be equally divided. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. UNDERWOOD. Mr. Speaker, I have a further request to submit. The gentleman from Connecticut [Mr. HILL] was called away on account of sickness in his family. He had a statement that he desired to incorporate in the RECORD which the gentleman from New York [Mr. PAYNE] has in his hand. He desires to have it printed in the RECORD.

The SPEAKER. Request is made that a statement prepared by the gentleman from Connecticut [Mr. HILL] be printed in the RECORD. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

LEAVE OF ABSENCE.

Mr. TURNBULL, by unanimous consent, was granted leave of absence for 10 days, on account of sickness.

THE WOOL SCHEDULE.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] moves that the House resolve itself into Committee of the Whole House on the state of the Union to consider the bill H. R. 11019, the bill to remodel Schedule K.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 11019) to reduce the duties on wool and manufactures of wool, with Mr. HAY in the chair.

The CHAIRMAN. The committee will come to order. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11019. The Clerk will report the bill.

The Clerk read as follows:

A BILL (H. R. 11019) to reduce the duties on wool and manufactures of wool.

Be it enacted, etc., That on and after the 1st day of January, 1912, the articles hereinafter enumerated, described, and provided for shall,

when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands and the Islands of Guam and Tutula), be subjected to the duties hereinafter provided, and no others; that is to say.

Mr. UNDERWOOD. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. UNDERWOOD. Mr. Chairman, in presenting this bill to the House, we distinctly draw the dividing line between the two great political parties in this country from the standpoint on which they write tariff bills to obtain revenue to support the Government.

The Republican Party, as declared in their platform, presents tariff legislation for the purpose of levying duties at rates that will equal the difference in cost at home and abroad and at the same time protect a reasonable profit to the American manufacturers.

Their declaration is primarily in favor of levying tariffs in the interest of the great manufacturing classes of this country. The question of raising revenue is incidental to levying a tax to prevent foreign competition.

The Democratic Party does not believe that any interest in this country is entitled primarily to the fostering care of the Government of the United States. [Applause on the Democratic side.]

We realize that the revenue to run this Government must be raised, and that the Constitution of the United States authorizes the Congress to levy duties on foreign goods imported into this country for the purpose of raising that revenue. The primary purpose from the beginning, with those who believe in the principles of the Democratic Party, is to levy these taxes for the purpose of supplying the revenue of the Government, and if any protection arises from the levying of these taxes it is a mere incident which grows out of the constitutional warrant given by the people to levy taxes at the customhouse, but they are not levied for the purpose of fostering one man's business at the expense of another. [Applause on the Democratic side.]

So the criticism of this bill that may be made by gentlemen on the other side of the House, that certain manufacturing interests in this country are not allowed sufficient protection is a matter that marks the dividing line between the two great parties, and is not applicable to this bill in particular.

We disclaim any purpose whatever of writing this bill in the interests of the manufacturers of wool or the producers of raw wool. [Applause on the Democratic side.]

The Democratic bills are the only tariff measures that have been presented to this House in a quarter of a century that have not come at the dictation of special interests that sought the fostering care of the United States Government to build up their business, and this bill is the most competitive of the Democratic measures. This bill comes before this House at the dictation of no special interest but as a result of the conclusions of the representatives of the American people looking solely to the raising of sufficient revenue for the needs of the Government.

We state in the report upon this bill that we have levied a tax on raw wool and on manufactured wool because of the exigencies of the Government and the necessity of providing for a depleted and depleting condition of the Treasury. The gentlemen on the Ways and Means Committee who represent the Republican side of the House take issue with us on that question, and in their minority views make this statement:

The statement as to the condition of the Treasury here given is absolutely false, as proved by Treasury daily statements. On May 31, the day before this caucus, there was an actual surplus of receipts over disbursements for the past 11 months of the fiscal year which will end the 30th day of this month of June of \$6,875,914.37.

Now, the statement in this report to which they object is the following, which will be found on page 26:

The bill H. R. 11019 is not to be construed as an abandonment of any Democratic policy; but in view of the Democratic platform for a "gradual reduction of the tariff," and of the depleted and depleting condition of the Public Treasury, a result of Republican extravagance, a tariff of 20 per cent ad valorem on raw wool is now proposed as a revenue necessity.

I am satisfied that if you will listen to me I can demonstrate to you that every word of that statement is absolutely true. We say "Republican extravagance." When did the Republican Party come into control of this Government the last time? In the year 1897, at the close of Mr. Cleveland's administration. The total amount of revenue that was necessary for us to raise at that time was only \$347,721,000. The total amount of revenue that you are raising to-day, with a deficit in the Treasury, is \$675,511,000, as shown by the Treasury report of last year. You have increased the taxes on the American people in that

time 94 per cent, with an increase in population of only 28 per cent and in wealth of 31 per cent.

In the year 1897, when the Democratic Party went out of power, the per capita tax levied on the American people amounted to \$4.85. The per capita tax that you levied on the American people last year amounted to \$7.35.

With an increase in population and wealth of only 28 per cent and an increase in taxes of 94 per cent, can you deny the charge that Republican extravagance has produced a depleting condition of the Public Treasury? [Applause on the Democratic side.]

But the gentlemen seek to show in their report that, notwithstanding the increase in taxes put on the American people, the Treasury is not in a depleting condition, and that the revenues to-day are in a better condition than they were last year. They refer to a Treasury statement to sustain their minority views.

I hold in my hand the statement of the United States Treasury at the close of business June 5, 1911. It came to us all in the mail this morning, and what does it show? It shows that for the year 1910—the fiscal year ending the 30th day of last June—the ordinary receipts of this Government were \$675,511,000, and the ordinary disbursements of this Government, which exclude, of course, the disbursements in reference to the Panama Canal and the bonded indebtedness, amounted to \$659,705,000.

This Treasury statement says—and it does not present our figures, for these are prepared by the department of a Republican administration—that the ordinary receipts for this fiscal year amount to \$625,071,000, as against \$675,511,000 last year, a difference of about \$50,000,000. Is there any gentleman on that side of the House who can say that this does not show a depleting condition of the Public Treasury—a falling off in the ordinary receipts? What does ordinary receipts mean? It means those receipts which the Government gets from customhouses, the moneys it receives from internal-revenue taxes and from miscellaneous sources, including all receipts except from the sale of Government bonds. This report shows that you are to-day, or will be at the end of this fiscal year on the 1st day of next July, about \$50,000,000 behind the receipts of last year.

Mr. PAYNE. Mr. Chairman, will the gentleman yield for a question there?

Mr. UNDERWOOD. Certainly.

Mr. PAYNE. Will the gentleman turn to the second page in that Treasury statement—I suppose it is the ordinary daily statement?

Mr. UNDERWOOD. Yes.

Mr. PAYNE. And read there that the receipts up to date for this fiscal year are more by several millions of dollars than they were up to date last year.

Mr. UNDERWOOD. Well, I do not see that in the figures, because I have not got—

Mr. PAYNE. The gentleman will find it if he looks for it.

Mr. UNDERWOOD. Here is what it says to this date: For the fiscal year the receipts are \$604,000,000. Now, I have not before me the statement showing what they were up to the 5th of June, 1910, but what I do say is that your Republican administration, the Treasury Department of the United States, says that you will be about \$50,000,000 behind the receipts of last year when you reach the 1st day of July next. [Applause on the Democratic side.] Yet you say we are not warranted in making the statement that there is a depleting condition in the Treasury.

Mr. PAYNE. It must be the report of the Secretary of the Treasury made last December from which the gentleman reads, when he was predicting what the receipts would or might be.

Mr. UNDERWOOD. No; I am not reading from that.

Mr. PAYNE. Oh, yes; and when the Treasury Department publishes daily and sends to every Member of the House who wants it the receipts up to date for each year there is no excuse for the chairman of the Committee on Ways and Means in making such a statement.

Mr. UNDERWOOD. What I have here in hand is my excuse for making it and it can not be denied. If the gentleman wants to see it, he can send here and get the paper. It is the daily statement, the last one issued by the Treasury Department [applause on the Democratic side], bearing date June 5, and it says that you are going to be \$50,000,000 behind at the end of this fiscal year. Now, if that is not a depleting condition of the Public Treasury, I do not know what it is. [Applause on the Democratic side.]

Mr. PAYNE. Mr. Chairman, I read from the statement which the gentleman hands me that the ordinary receipts for this fiscal year—up to this date in June are \$625,071,413.90, and

in the next column to this date last fiscal year, \$604,048,177. [Applause on the Republican side.]

Mr. UNDERWOOD. Mr. Chairman, as I stated to the gentleman repeatedly, it is not shown to this date whether there is going to be a deficit. I gave the ordinary receipts for the entire fiscal year of last year, and it is here in the column \$675,511,000. The gentleman does not deny that the ordinary receipts were \$675,000,000?

Mr. PAYNE. Mr. Chairman, I challenge any man on that side of the House to get that statement and read it, in view of the gentleman's speech, and say whether I am right or not. [Applause on the Republican side.]

Mr. UNDERWOOD. Oh, the gentleman is trying to prove his case by taking a particular period and comparing it with a year. The gentleman can not deny that the ordinary receipts of this Government from taxation sources were \$675,000,000 last year. Does he deny that?

Mr. PAYNE. I have not the statement before me.

Mr. UNDERWOOD. Why, here it is.

Mr. PAYNE. I suppose the gentleman knows that the tax from corporations is due this month, and that it amounts, on the assessments, to \$28,500,000, due before the 30th day of June. I suppose he knows that.

Mr. UNDERWOOD. I suppose your Secretary of the Treasury, when he made his estimates of the amount of receipts he was going to get this year, had sense enough to figure that in if he knew it was coming due. [Applause on the Democratic side.]

Mr. PAYNE. Why, no man has sense enough to be a prophet. No man can prophesy and put that against the actual figures returned up to this date. Mr. Chairman, if that is the kind of information that was fed to the Democratic caucus, I have no wonder that they indorsed this bill and indorsed that statement. [Applause on the Republican side.]

Mr. UNDERWOOD. Mr. Chairman, the gentleman can repudiate the Treasury Department if he wants to, but he can not deny that the Treasury Department figures of last year showed receipts of \$675,511,000 from taxation sources, and he can not deny that the Treasurer of the United States says that the receipts for this fiscal year will be only \$625,071,000. [Applause on the Democratic side.]

Mr. MANN. Will the gentleman yield for a question?

Mr. UNDERWOOD. Certainly.

Mr. MANN. I understood the gentleman to state the estimate was the receipts of the entire fiscal year would be \$625,071,000. What are they up to date?

Mr. UNDERWOOD. They are \$604,048,000 up to date.

Mr. MANN. No; that is last year's receipts.

Mr. UNDERWOOD. Those are last year's receipts—up to date this year I have not got the figures.

Mr. MANN. Oh, yes; they are in the statement.

Mr. PAYNE. They are right there in the statement.

Mr. MANN. \$625,071,000 up to date.

Mr. UNDERWOOD. They can not be \$625,071,000 up to date, because I will read what the statement says:

This fiscal year ending June 30, 1911, ordinary receipts and disbursements total \$625,071,000.

Does not that mean up to the 30th of June?

Mr. MANN. It means, of course, the receipts and expenditures up to June 5, 1911, as I recall it.

Mr. UNDERWOOD. It is not on this paper.

Mr. MANN. I beg the gentleman's pardon. It is on the paper and gives the actual receipts up to June 5, and is greater than what the gentleman states will be the entire receipts for the year ending June 30, a whole month in which to collect receipts, including the corporation tax. [Applause on the Republican side.]

Mr. UNDERWOOD. The gentleman does not read the figures as I do. Now, wait a minute; I want to go one step further in this proposition. The gentleman says there is not a depleting condition of the Treasury. This statement shows that the excess of disbursements over all receipts for the fiscal year 1910 amounted to \$19,480,000. The Secretary of the Treasury says that for the year ending June 30, 1911, the excess of disbursements over receipts will amount to \$20,216,000. [Applause on the Democratic side.] That is what this paper shows. I do not know whether the Secretary of the Treasury is correct or not, but I am justified in assuming that he is, and I was justified in assuming that he was when we prepared this bill. Now, more than that—

Mr. PAYNE. Mr. Speaker, one more question and then I will quit. The gentleman assumes that the Secretary's prophesy in last December as to the amount of income for this fiscal year

for six months ahead is more reliable and better data than when June has come around and the Secretary states the actual results, which the gentleman from Alabama does not rely upon. [Laughter on the Republican side.]

Mr. UNDERWOOD. Oh, the gentleman is still wedded to the child of his brain and I can not help it. Now, I want to call attention, though, that this goes to show the depleted condition of the Treasury because of the failure of the Payne tariff law to produce the revenue necessary to support the Government.

Mr. PAYNE. But the gentleman can not show it by the figures at any time.

Mr. UNDERWOOD. I will if the gentleman will allow me; of course, it is very easy for a gentleman to deny facts—

Mr. PAYNE. I refer the gentleman to the official record.

Mr. UNDERWOOD (continuing). And if the gentleman will be silent for a moment I will give him a statement in reference to this very schedule that has been furnished me by the Treasury Department. Last year, due to the fact that the President of the United States said there would be a revision of the tariff downward, and the people of the United States, believing that the taxes levied at the customhouse would not be as great after the new tariff law was enacted as they were before, importations were held back awaiting the result of that tariff legislation. Instead of a revision downward we had a revision upward, and those delayed importations had to come in during the fiscal year 1910 and so swelled the returns for that year of the Payne tariff law.

Mr. PAYNE. I do not desire to interrupt the gentleman if he does not like me to do so—

Mr. UNDERWOOD. I have no objection.

Mr. PAYNE. I want to say—

The CHAIRMAN. Does the gentleman from Alabama yield?

Mr. UNDERWOOD. I yield.

Mr. PAYNE. I want to say it would require the gentleman a week to make proof of the fact the revision was upward of the present tariff law; and when he got through it would demonstrate the falsity of his statement.

Mr. UNDERWOOD. Oh, well, I will not fall out with the gentleman; I think the country has found a verdict. [Applause on the Democratic side.]

Mr. PAYNE. I will say to the gentleman that the country has obtained its misleading information from statements made by the gentlemen on the other side. The country got it from just such false statements as are now made by the gentleman on that side. [Laughter on the Democratic side.] Presumably so, because they were his facts, and I challenge gentlemen who are at all familiar with statistics on that side of the House to sit down and figure out that question, and if they are honest men they will say that what I now say is true.

Mr. UNDERWOOD. Well, I am not going to fall out with the gentleman because the favorite child of his brain is dying to-day. [Laughter on the Democratic side.]

Mr. PAYNE. No; the gentleman's "favorite child" is good for two years longer at least, and I think it will outlast that of the gentleman from Alabama. [Applause on the Republican side.]

Mr. UNDERWOOD. I want to call the attention of the gentlemen to the statement of the Treasury Department in reference to Schedule K. Now, mark you, of the taxes levied at the customhouses Schedule K produces the greatest amount of any of the schedules except Schedule E (sugar, molasses, and manufactures of) and Schedule J (hemp, jute, and flax goods). Schedule K produces 12.83 per cent of all the taxes that come in at the customhouses, and when this important schedule is falling off in its receipts very largely it is a clear indication of what is happening to the other schedules in the Payne tariff law.

I asked the Bureau of Statistics to send me a statement as to the receipts under Schedule K for the first three-quarters of this fiscal year. The report came from Mr. O. P. Austin, Chief of the Bureau of Statistics, and I think gentlemen on that side of the House will take that report as the authority of the Government. He stated that Schedule K for the first quarter of this fiscal year raised \$8,932,000; for the second quarter ending December 31, 1910, \$6,895,000; and for the third quarter ending March 3, 1911, \$7,766,000; showing that the receipts under the schedule have been dropping off as we get away from the dam that was created against importations by the promise of the Republican Party that they would revise the tariff downward.

Now, assuming that the receipts for the last quarter of the fiscal year are the largest received by the Government in any quarter, to wit, \$8,922,000, and adding that amount to the first three quarters of the year, you have as the total receipts of

Schedule K for this fiscal year \$32,490,000, against \$41,000,000 in the last fiscal year. Is not that a depleting condition of the Public Treasury?

The Ways and Means Committee in preparing this bill to present it to the House was hedged in by certain limitations. The President of the United States had said that the wise way to revise the tariff was in detail, schedule by schedule. The Democratic Party had stood for that position years ago. We believed that we could more intelligently present to this House and to the country a revision of the tariff by bringing in one schedule at a time than by throwing before the House the work of an entire tariff bill. But in revising the tariff schedule by schedule our hands were bound by certain limitations. Our first pledge is to the Government of the United States, not to protected manufacturers. It is our duty to produce the revenue that is necessary to run this Government, now administered by a Republican Executive. We are not responsible for the Republican Executive. We hope that the people of the United States will not be responsible for a Republican Executive two years from now. [Applause on the Democratic side.] But the condition to-day is that Republican extravagance has piled up expenditures that a Democratic Congress must meet.

Mr. HAMILTON of Michigan. Mr. Chairman, will the gentleman yield?

The CHAIRMAN (Mr. RUSSELL). Does the gentleman from Alabama yield to the gentleman from Michigan?

Mr. UNDERWOOD. I do.

Mr. HAMILTON of Michigan. Was not the President's suggestion that the tariff should be revised schedule by schedule coupled with the suggestion that it should be revised schedule by schedule with the aid of reports from time to time from the Tariff Board?

Mr. UNDERWOOD. I think the gentleman is mistaken. That may be something added to the President's statement.

Mr. HAMILTON of Michigan. Was not that a part of the President's suggestion?

Mr. UNDERWOOD. I have not the President's suggestion before me.

Mr. HAMILTON of Michigan. The gentleman stated the President's suggestion.

Mr. UNDERWOOD. I repeat that I haven't it before me, but my recollection of the President's statement was that it did not contain that language. I am not sure about it. I will not make an assertion about which I am not positive.

Mr. HAMILTON of Michigan. Has the gentleman's committee had any report from the Tariff Board before it in relation to this schedule?

Mr. UNDERWOOD. I am glad to answer the gentleman's question. I did not intend to go into that matter at this time, but I will say that I voted for a Tariff Board, not this present one. I am willing to receive all the information I can get, but if there has been a monumental failure in the legislation of this Government it was the creation of the Tariff Board that works under the direction of the White House to-day. [Applause on the Democratic side.]

Mr. HAMILTON of Michigan. Will the gentleman kindly file a bill of particulars wherein the Tariff Board has failed?

Mr. UNDERWOOD. Yes; I have filed that bill of particulars. I hold it in my hand.

Mr. HAMILTON of Michigan. What is it?

Mr. UNDERWOOD. The President of the United States told me that he would be glad to have the Tariff Board furnish me any information they had in reference to these tariff bills. Does the gentleman doubt that the President of the United States was honest when he said that?

Mr. HAMILTON of Michigan. No; therefore I inquired whether the gentleman had had any information.

Mr. UNDERWOOD. Now, if the gentleman wants the information that the Tariff Board furnished on this wool schedule, I will refer him to Appendix C, which begins on page 233 and covers about 20 pages of this report. That is the information that, at my request and with the permission of the President, the Tariff Board furnished us; and if the gentleman will compare it with the other statistics that were obtained by this committee from the Census Bureau, the Bureau of Statistics, and from other departments of this Government, I think he will agree with me that we have not only brought an indictment against the Tariff Board, but that we have convicted them at the bar of this House. [Applause on the Democratic side.]

Mr. HAMILTON of Michigan. I do not suppose the gentleman, or any Member of the House, desires to convict the Tariff Board. What we want to do is to get at the exact information, if possible. Now, is it not true that the Tariff Board did not have complete information and did not have time to obtain

that information, and therefore could not furnish the gentleman's committee with the complete information, and that the gentleman's committee knew that this state of facts existed, and therefore took all that the Tariff Board could offer them?

Mr. UNDERWOOD. We were glad to take all the Tariff Board offered, and I am sure that the Tariff Board did not have complete information. I am informed that they have been at work on this wool investigation for 18 months, attempting to gather data, and when we called on them a couple of months ago for the data that they could give to this Congress, it was furnished in this report. From the limited information it contains I am satisfied that if they went on for the next 10 years we would not get the information that is necessary to write a tariff bill, unless we should go to other sources, as we did.

Mr. LONGWORTH. I should like to know upon what basis the gentleman founds his statement that this Tariff Board has been working on the wool schedule—this particular schedule—for 18 months?

Mr. UNDERWOOD. They stated in the papers that they were going to work on the wool schedule. It is more than 18 months since they finished consulting with the President in reference to putting into effect the maximum and minimum tariff. I supposed, when they stated they were going to work on the wool schedule, that they went to work on it. Now, I do not know that they did, but I assume that they did.

Mr. LONGWORTH. Does not the gentleman realize that they only very recently completed a very detailed report on the print-paper and pulp schedule? Does not the gentleman know that, as a matter of fact, the question of Schedule K has only been taken up within not to exceed the last two or three months?

Mr. UNDERWOOD. I do not know it, because I know conclusively that it was more than a year ago when the appropriation was made to allow this Tariff Board to go to work on schedules of the tariff. That was 15 months ago, at least. It was stated in this House at that time that it was done to allow them to go to work on Schedule K. I do not know whether they ever did the work, or how soon they started, because I have not been in their confidence, but they have had 15 months to work and they announced that they were going to work.

Mr. LONGWORTH. Not on this particular schedule.

Mr. UNDERWOOD. Some gentlemen announced it for them.

Mr. LONGWORTH. The gentleman from Alabama stated that he voted for the tariff commission, wherein I think the gentleman exceeded in wisdom nine-tenths of his party. Suppose the gentleman and myself and others of us who sincerely favored at that time, and still do, as I hope the gentleman does favor, the creation of a permanent tariff commission; suppose we had been successful, and suppose the bill had not been defeated by the filibuster in the closing hours of the session, does the gentleman believe that we would have had accurate information to-day on the wool schedule from that tariff commission of which he was in favor?

Mr. UNDERWOOD. I say to the gentleman that I do not believe we would. I will tell the gentleman why. I have served on the Ways and Means Committee a good many years. One of the greatest troubles I have had confronting me at all times has been the lack of information. I have sought information. I believe that when we voted for that bill—which was not the present law, mark you, but was a bill to make the Tariff Board responsible to this House and not to the President—I believed then that if we could get a Tariff Board that would be responsible to this House we could gather information that would be of great value to the Ways and Means Committee and to the House. But after the demonstration the present Tariff Board has made I am candid enough to say that I think I made a mistake in voting for the bill. [Applause on the Democratic side.]

Mr. LONGWORTH. If I understand the gentleman, he now announces that he is opposed to the creation of a permanent, responsible tariff commission?

Mr. UNDERWOOD. I am opposed to creating a tariff board or a tariff commission appointed or controlled by the President of the United States, because we have tried it, and it has proven an utter failure. [Applause on the Democratic side.]

I will say this, that if this House at some time—this House, mark you—should see proper to employ certain experts to gather statistical data for the information of the Ways and Means Committee and this House, and to make them a permanent part of this organization as you make that corps of reporters sitting there, I believe it would be a wise thing to do.

Mr. LONGWORTH. The gentleman from Alabama now announces that he made a mistake in voting in favor of the Tariff Commission?

Mr. UNDERWOOD. In view of the light I have at present, I think I did.

Mr. LONGWORTH. And the gentleman now is opposed to the creation of a permanent tariff commission, to be appointed by the President but subject to the call of either House of Congress?

Mr. UNDERWOOD. I am satisfied from a consideration of the question that we could not make a tariff board appointed by the President subject to the call of this House, and I will tell you why. I do not question the sincerity or the honesty of your President. He told me that the Ways and Means Committee of this House should have such information as that Tariff Board possessed. Now, I do not question that he meant it and that he was sincere. I have printed as a part of this report the information we got, and I say that there is one of two things sure. The Tariff Commission refused to give the facts we called for with the permission of the President of the United States, or they have wasted a quarter of a million dollars. One of these two things is sure. [Applause on the Democratic side.]

Mr. LONGWORTH. Does the gentleman mean to say that merely because the Tariff Board has failed to submit an elaborate report on wool, when it was not contemplated that such a report should be made before next December, it should therefore be indicted?

Mr. UNDERWOOD. I did not intend to wander from my subject, but I will say candidly to the gentleman, aside from all other questions, that I judge from the work I have seen of the Tariff Board that they are approaching an investigation of this subject from their viewpoint. The House approaches it from its viewpoint. Now, I understand that the Tariff Board is wandering in many countries, ascertaining how much it costs to shear a sheep. [Laughter on the Democratic side.] As a matter of fact, the gentleman knows that if we want to ascertain the facts upon which to write a tariff law, that all the information about raising sheep or growing sheep is concentrated in one proposition, and that is, What is the price of foreign wool? That tells the story.

Mr. LONGWORTH. Permit me to interrupt—

Mr. UNDERWOOD. And we get that in the daily papers whenever we choose to buy a London paper.

Mr. LONGWORTH. Let me tell the gentleman right here that one of the functions the Tariff Board is now performing is to find out just what the gentleman wants to know, to wit, the prices of wool—not the cost of raising sheep in foreign countries. The chairman of the Tariff Board, as I understand it, is to-day in London attending the wool sales, where the world's supply of wool is sold. The gentleman will probably admit that heretofore we have had no information whatever as to those London wool sales. That one thing alone would be of great value to this House in determining what the proper tariff should be.

Mr. UNDERWOOD. Mr. Chairman, I am surprised that the gentleman should make the statement that it is necessary for this Government to send one of the members of this Tariff Board to London, at a great expense, to ascertain the price at which wool is sold, when the London papers publish it every day. [Applause on the Democratic side.]

Mr. LONGWORTH. Yes; but does the gentleman or anybody whom he knows see that wool when it is sold?

Mr. UNDERWOOD. Oh, but the prices—

Mr. LONGWORTH. Does he know what that wool is? Does the gentleman himself know what that wool is?

Mr. UNDERWOOD. I do not know; but others do.

Mr. LONGWORTH. Does any member of the Ways and Means Committee as at present constituted know?

Mr. UNDERWOOD. The wool experts know what that wool is, just as well as the cotton experts know what the cotton is.

Mr. LONGWORTH. What experts?

Mr. UNDERWOOD. The experts of the United States.

Mr. LONGWORTH. Has any of them testified before the Ways and Means Committee in the formation of this bill?

Mr. UNDERWOOD. It was not necessary. I want to say to the gentleman from Ohio that if he will examine this report he will find the prices of wool stated here for a number of years, as shown on the London markets and the other great markets of the world.

Mr. LONGWORTH. Unquestionably; but we have not seen the wool.

Mr. UNDERWOOD. Well, of course, if the gentleman has to have wool instead of facts and figures to write a tariff bill, then he approaches the subject from a different standpoint from what I do.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

The CHAIRMAN (Mr. PAGE). Does the gentleman from Alabama yield to the gentleman from Wyoming?

Mr. UNDERWOOD. I yield.

Mr. MONDELL. Mr. Chairman, a little earlier in his speech the gentleman made this statement:

We disclaim any purpose whatever of writing this bill in the interest of the manufacturer of wool or the producer of wool.

Speaking of the work of the Tariff Board, I assume that a large portion of their investigation is for the purpose of determining the condition of the wool industry and of the woolen industry, and of the effect of tariffs on those industries. Now, if the gentleman's committee framed a bill without reference to its effect upon these industries, of what benefit or advantage or use to the committee would be all of the information that the Tariff Board might bring before them on that subject?

Mr. UNDERWOOD. None at all, except so far as it went to show where the competitive points were that would produce the most revenue. That is all.

Mr. MONDELL. In framing your bill it was not a question at all as to what the effect of your tariff would be on the wool industry or the woolen industry, but how much revenue it would produce.

Mr. UNDERWOOD. We wrote this bill to raise the revenue that the Government required, and we endeavored to write it no higher than was necessary to raise that revenue.

Mr. MONDELL. And therefore any information which a Tariff Board might be able to secure and transmit to the gentleman's committee touching the effect of the bill or of any tariff on the industries would not be information that would be useful to the committee in its consideration of the matter?

Mr. UNDERWOOD. I would say that it might guide us to some extent in determining where the maximum revenue point was, but it would not, of course, be as material to us as it would to gentlemen on that side of the House, who write tariff bills for the purpose of protecting profits of favored industries in this country. [Applause on the Democratic side.]

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. UNDERWOOD. I do.

Mr. MANN. As I understand, the Tariff Board first took up the study of the pulp and paper industry and sent men into the mills and forests to ascertain the cost of production, and so forth, and that recently—not 18 months ago, but recently—the Tariff Board has sent experts, sometimes the same men who visited the pulp and paper mills, collecting information to show the cost of the production of wool in all parts of the country, so as to show the amount lost from shrinkage in reducing wool in the grease to scoured wool, the amount of wool necessary to use to produce a certain quantity or pound of cloth, and so forth. Now, if that information should be obtained, would it have been of any benefit to apply it in the making up of this bill, in the gentleman's opinion?

Mr. UNDERWOOD. Why, it would have been if we had not had the information, but we had all that information already, obtained from other sources.

Mr. MANN. Is the gentleman prepared to tell the House how many pounds of wool in the grease it takes to make a pound of scoured wool or how many pounds of wool it takes to make a pound of cloth?

Mr. UNDERWOOD. I am, as far as the Tariff Board is and can—

Mr. MANN. Yes—

Mr. UNDERWOOD. But the gentleman knows and everybody else in this House knows, and it is a historic fact, that raw wool shrinks all the way from 20 per cent to 80 per cent, and the amount of shrinkage depends on where the wool comes from and how it is raised.

Mr. MANN. Does anybody know what quantity of wool shrinks 20 per cent and what quantity 30 per cent and what quantity 80 per cent?

Mr. UNDERWOOD. Yes.

Mr. MANN. Will the gentleman give that information to the House?

Mr. UNDERWOOD. I will say to the gentleman—

Mr. HUGHES of New Jersey. It is in the report.

Mr. MANN. I have examined this report and I have examined elsewhere and I have not been able to get the information.

Mr. UNDERWOOD. If the gentleman will examine it carefully, I think he will.

Mr. MANN. I will be glad to have the gentleman point it out.

Mr. UNDERWOOD. If the gentleman will allow me to answer, I will be glad to state the information I have, but the

gentleman interrupts me with questions before I can give an answer.

Mr. MANN. I am trying to get my question fully before the gentleman so that I will not have to interrupt him.

Mr. UNDERWOOD. I will say to the gentleman that the English wools shrink to a slight degree. Some of the Australian wools are slight-shrinking wools. There are other European and Asiatic wools that shrink very materially. Some of the territory wool from the Territories of the United States—the Rocky Mountain territory—shrinks as much as 80 per cent; some of it very much less. Some of the Ohio wool only shrinks as much as 20 per cent.

Mr. LONGWORTH. Between the scoured stage?

Mr. UNDERWOOD. From the raw wool to the scoured.

Mr. LONGWORTH. From raw to scoured, only 20 per cent?

Mr. UNDERWOOD. Some of it, I said, not all of it, but some of it. Now, the statistics show that these various grades of wool shrink all the way from 20 per cent to 80 per cent. You do not have to go to any Tariff Board to find that out. Any woolen manufacturer will give you that information, and the information is in this report. Of course this committee can not say that all wool shrinks alike, but what we have done is something that the Republican Party always refused to do—we have adopted an honest basis to allow for that shrinkage. We have put it at an ad valorem rate, and you have always insisted on putting it at so much a pound, so that the men who imported the cheaper wool that went into the clothes of the poorer people had to pay the higher price [applause on the Democratic side] and the higher grade of wool that the rich people bought which did not shrink so much did not pay relatively as great a price. This bill puts them all on the same basis and they pay their taxes in proportion to the value of the wool.

The CHAIRMAN. Does the gentleman yield to the gentleman from Wyoming?

Mr. UNDERWOOD. I do.

Mr. MONDELL. I know that the gentleman wants to be accurate.

Mr. UNDERWOOD. I do.

Mr. MONDELL. And for the sake of accuracy it is important that this statement in regard to shrinking should be correct.

Mr. UNDERWOOD. If I have made any misstatement, I would be glad to have the gentleman correct me.

Mr. MONDELL. It is not true that any of our wool shrinks as much as 80 per cent. You might take a poor, half-starved sheep that had got into a mudhole whose wool might shrink 80 per cent, but—

Mr. UNDERWOOD. I did not mean to say that there is a great amount of wool that shrinks as much as 80 per cent. I gave that as the extreme. I know of no wool that shrinks more than 80 per cent, and I know of none that shrinks less than 20 per cent, and the range of shrinkage is between those two points.

Mr. MONDELL. The great bulk of our fine wool, as the gentleman knows, shrinks about 65 per cent.

Mr. UNDERWOOD. Yes; that is, all your western wools.

Mr. MONDELL. That is true of the Territorial and the fine merino wools.

Mr. UNDERWOOD. That is true of the western wools, but the wools of Ohio do not shrink as much as 65 per cent, and very few of the imported wools shrink 65 per cent.

Mr. LONGWORTH. Will the gentleman permit me?

Mr. UNDERWOOD. Yes.

Mr. LONGWORTH. If the gentleman will permit, I would like to call his attention to his own report, wherein he states that the shrinkage in Ohio wool is 51 per cent. That is the average shrinkage, of course.

Mr. UNDERWOOD. Yes; the average. And I will say to the gentleman from Ohio that although his wool shrinks only 51 per cent, or, say, 50 per cent in round numbers, 2 pounds of raw wool are necessary to make 1 pound of cloth, according to his own statement with respect to the wool from his own State; and when the gentleman from Ohio participated in writing Schedule K of the Payne tariff bill he gave to the woolen manufacturers a protection of 4 pounds of wool instead of 2 pounds; he levied a tax on the American people of 11 cents a pound on 4 pounds of wool instead of 11 cents a pound on 2 pounds of wool, as compensation to the American manufacturer, and allowed the American manufacturer to put 22 cents a pound in his pocket, deceiving the American people to that extent.

Mr. LONGWORTH. Do I now understand the gentleman to say that scoured wool is the equivalent of cloth?

Mr. UNDERWOOD. No; but scoured wool is what cloth is made out of, and there is comparatively little loss of weight between the scoured wool and the cloth.

Mr. LONGWORTH. How much loss is it?

Mr. UNDERWOOD. A very immaterial amount. I can not recall the exact figures at this moment.

Mr. LONGWORTH. Between ordinary scoured wool and woolen cloth?

Mr. UNDERWOOD. The scoured wool is the clean wool that goes into the cloth.

Mr. LONGWORTH. Has it been combed?

Mr. UNDERWOOD. The gentleman must remember that all that comes out of the combing is not lost. They may comb out the tops, but then the noils and the inferior parts of the wool remain for use.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from Pennsylvania?

Mr. UNDERWOOD. I do.

Mr. MOORE of Pennsylvania. I wanted to ask the gentleman a question before he gets away from the point raised by himself in regard to the change from the present method of levying a specific duty to the ad valorem method. Has the gentleman given consideration to the discretion in the administrative officer that is involved in the adoption of an ad valorem duty?

Mr. UNDERWOOD. I have; and if the gentleman will pardon me, I will endeavor, if I can find the point in my notes, to show him—

Mr. MOORE of Pennsylvania. If the gentleman is going to dwell upon it later I will not ask him to supply it now. But it seems to me you are opening a wide latitude for corruption in the customhouses, if you please, by changing from specific to ad valorem rates.

Mr. UNDERWOOD. I have thought that possibly the gentlemen might think we were opening the door for corruption at the custom houses, and therefore I stated in this report that the change from specific duties to ad valorem duties would, to a large extent, remove the temptation for corruption, and I will call the gentleman's attention to it.

Mr. MOORE of Pennsylvania. What page is that on?

Mr. UNDERWOOD. This is on page 14 of the report:

When a duty is assessed on a commodity of a certain value much larger in proportion than when the value is a few cents less per pound or yard, the temptation is in many cases irresistible to have the lower value accepted for the sake of enjoying the much lower tax burden. For example, in Schedule K of the present act, yarns, valued at not more than 30 cents per pound, are taxed at 27½ cents per pound and, in addition, 35 per cent ad valorem, so that the total duty amounts to 38 cents per pound, or 126.6 per cent of the value. If the value of the yarn is declared at 31 cents per pound, the tax is 38.5 cents per pound and in addition, 40 per cent ad valorem, so that the total duty amounts to 50.6 cents per pound, or 163 per cent of the value. Hence a change in the valuation of 1 cent per pound reduces the burden of the duty by 37 per cent. The substitution, in the bill herewith reported, of straight ad valorem duties on articles of one kind or sort, instead of the present rates increasing as arbitrary dividing lines of value are crossed, will remove the extraordinary temptations to undervaluations which now prevail, and make the task of the customs service easier, as far as the scope of this bill goes.

Now, the difference between your bill and our bill in that instance is that if a man undervalued his wool 1 cent per pound, under your bill he could beat the Treasury out of a 37 per cent ad valorem tax. Under our bill there would be no great temptation to reduce that 1 cent, because the ad valorem rate would only change the tax to a very small degree; it would only be the tax of 1 cent a pound that he would gain by making a false affidavit.

Mr. MOORE of Pennsylvania. Still, you are removing the specific obligation placed by law on the customs officer and leaving it to his discretion as to the value of the goods.

Mr. UNDERWOOD. Not at all. The gentleman's argument is not sustained by his own law. Of course, that is true as to raw wool, but there is no commodity in the markets of the world of which the value is more easily obtained and better known than that of raw wool. But when you come to yarns, tops, or cloths you use a compound rate. You employ this specific rate that offers the temptation to falsify the records at the customhouse, and at the same time you use an ad valorem rate and put the burden of ascertaining the value on the customs officials. We use the ad valorem rate, and eliminate the specific rate, which you have in the Payne tariff law.

Mr. MOORE of Pennsylvania. That is all determined by fixed weights and measures, as it were, and the customs officer has not the discretion that he would appear to have under your bill.

Mr. UNDERWOOD. If it is already determined how he would fix the ad valorem rate to-day, why is it not determined how he would fix the ad valorem rate to-morrow? He fixes it to-day and he can fix it to-morrow in the same way.

But the gentleman criticizes this bill because he thinks the ad valorem rates may permit frauds at the customhouse, which

would be prevented if the rates were made specific. I want to call the attention of the gentleman from Pennsylvania to the fact that some of the most outrageous, most inexcusable, and greatest frauds ever perpetrated upon the Government of the United States at the customhouse were those committed by the American Sugar Refining Co. under the specific rate of duty. [Applause on the Democratic side.]

Mr. MOORE of Pennsylvania. That was a fraud due to the connivance of men, which was punishable by law. There was no discretion given the customs officers to fix the value, as there is here a discretion to fix the value, and it seems to me you are leaving the door open when you depend upon the judgment of anyone, even that of the Secretary of the Treasury.

Mr. UNDERWOOD. Does not the Payne bill leave it to the judgment of customs officers to fix rates of duty?

Mr. MOORE of Pennsylvania. It does in some respects.

Mr. UNDERWOOD. It does in every respect except as to raw wool and wastes. Can the gentleman name anything in Schedule K, except raw wool and wastes, where there is not an ad valorem rate on the goods?

Mr. MOORE of Pennsylvania. The gentleman is changing the system and advocating a brand-new policy, which says all the specific duties shall be removed and an ad valorem duty fixed.

Mr. UNDERWOOD. Not at all. We have simply stricken out the compensatory duty and lowered the ad valorem duty, but the ad valorem duty is there in the Payne law, and the customs officials have no more work to do and the Treasury will be in no more danger from frauds under the ad valorem rates in this bill than it is under the ad valorem rates in the Payne law.

Mr. PAYNE. Will the gentleman allow me right there?

Mr. UNDERWOOD. I will.

Mr. PAYNE. I want to say to the gentleman that in the McKinley Act, the Dingley Act, and the present law the committee labored to put everything as far as possible upon a specific rate and not an ad valorem, because of the universal testimony that came to the committees framing those bills that an ad valorem rate was a temptation to fraud, because a man swore to his judgment as to the value, and of course he could not be convicted of perjury in swearing to that.

Mr. UNDERWOOD. Notwithstanding the gentleman's statement, he left the main rates of taxation in his own act on an ad valorem basis.

Mr. PAYNE. Oh, no. If the gentleman from Alabama will ever study the law and read it through, he will find that he is wrong. The gentleman should not judge from newspaper reports of \$18-a-week men. He ought to go to the first sources and study the question.

Mr. UNDERWOOD. Let me ask the gentleman from New York what is the rate on cloth over 70 cents a pound? Is it not four times the value of the raw wool, or 44 cents a pound, with 55 per cent ad valorem added?

Mr. PAYNE. Yes; because we could not put a specific duty for every yard of cloth varying in price from \$1 to \$4 or \$5 a yard. We could not put a specific rate as compensation for the wool duty on it without putting an ad valorem rate in order to catch the higher class of goods with a larger duty. Of course, without putting a larger duty on a higher class of goods they would say we were squeezing the poor people.

Mr. UNDERWOOD. I agree to this fact: If you want to write a tariff bill in the interest of the American manufacturer, and enable him to tax the American people 100 or 125 or 180 per cent on goods that come through the customhouse, as you do under the Payne law, then a good way to do this and fool the people is to make these duties compound which include specific rates; that is the only justification for doing it. [Applause on the Democratic side.]

Mr. PAYNE. When the gentleman talks about the rate per cent, he knows that it is misleading. Even take the whole wool schedule and it does not represent fairly the percentage that is charged on woolen goods. The general percentage is much less than the gentleman states. It is only where there is a small importation that a man can produce the manifest on the stump and from that say they are taxing woolen goods 180 per cent. Where the importations are very small they can justify that kind of buncombe.

Mr. UNDERWOOD. I know, and the gentleman from New York knows, that the average rate on woolen manufactures for 1910 was 90.10 per cent, and the people of the United States know, if the gentleman from New York does not know, that it is too great a tax for them to be compelled to pay in the interest of a great monopoly.

Mr. PAYNE. Does the gentleman refer to the whole woolen schedule?

Mr. UNDERWOOD. No; I left out raw wool. I said manufactured wool. We recognize that the tax on raw wool is a highly competitive rate.

Mr. MONDELL. Will the gentleman yield?

Mr. UNDERWOOD. I will yield to the gentleman from Wyoming.

Mr. MONDELL. I understood the gentleman from Alabama to say a moment ago that the high rates were put upon the heavy-shrinking wool and the low rates on the light-shrinking wool; that the high rates were on the wools used by the poor man and the low rates on the wools used by the rich man.

Mr. UNDERWOOD. To a large extent.

Mr. MONDELL. Does the gentleman mean to say that the heavy-shrinking wool—the fine wools—are the wools ordinarily used in the cheaper clothing?

Mr. UNDERWOOD. I will say I am informed that the cheaper wools, the heavy-shrinking wools, are used to a large extent with shoddy in the manufacture of the cheaper class of clothes.

Mr. MONDELL. The first-class wools are the highest-shrinking wools. The third class only shrink 15 to 30 per cent. The wool that shrinks the most heavily is the merino, the fine wool, and that goes into broadcloth and the better and finer class of cloth; though, of course, the noils may go into cheap cloth. Now, will the gentleman yield for one more question?

Mr. UNDERWOOD. Yes; for a question, but I would really like to proceed.

Mr. MONDELL. I have read the most of the gentleman's report on this bill. I presume the gentleman approves of everything in his report?

Mr. UNDERWOOD. I do.

Mr. MONDELL. I notice with interest and some pleasure a statement contained in the report, on page 5, in the paragraph ending with the words "Schedule K," which I highly commend.

I find these words, and I am delighted that there are some things in this report that I can approve of, and I wish it were all of the same character:

As is well known, the Republican tariff legislation of 1909 was an honest revision in the public interest.

[Applause and laughter on the Republican side.]

Mr. UNDERWOOD. Mr. Chairman, I will say that the gentleman has very cleverly pointed out a misprint in this report. [Laughter.]

Mr. MONDELL. Mr. Chairman, I thought I had pointed out the one great truth.

Mr. SHERLEY. Mr. Chairman, I will suggest to the gentleman from Alabama that that is the first authority for such a statement anybody has been able to find.

Mr. UNDERWOOD. Absolutely; and I had overlooked that in correcting the proofs. I am sure that the gentleman from Wyoming will not accuse me of intentionally indorsing a Republican tariff bill.

Mr. MONDELL. Oh, I make no such charge.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. UNDERWOOD. Certainly.

Mr. MOORE of Pennsylvania. I will not trouble the gentleman again, and if he is proposing to discuss the question I want to put to him, I do not desire to have it answered at this time; but the gentleman made reference a moment ago to compensatory duties, and I would like to ask whether he intends to discuss or will now discuss the difference in the rate of wages paid in this country and abroad as one of the various elements that enter finally into the cost of the completed garment. The woolgrower here is obliged to produce at a higher rate than the producer abroad. The man who does the scouring abroad receives much less wages than scourers receive here, and the man who does the spinning and the working of the material over into yarns receives a higher wage here than abroad, as does the man who finally weaves the cloth. I want to ask the gentleman whether he has taken into account the matter of the wages in the various stages of preparation of the cloth?

Mr. UNDERWOOD. Mr. Chairman, we have data in this report, and I am glad to call it to the attention of the gentleman, which comes from a bureau of this Government, presided over by men appointed by a Republican administration. Right here I wish to say to the gentleman from Wyoming [Mr. MONDELL] that I find that the printer or some one else has left out the word "not" in the statement the gentleman read, and that is the reason of the change in that sentence. I am glad that it is corrected in the RECORD. Now, I will say to the gentleman from Pennsylvania that I will answer his statement. As to the cost

of production, if the gentleman will refer to page 9 of this report he will find this statement:

When statistical data as to cost of production have been obtained by the diligent efforts of well-trained and disinterested governmental agents, the Republican Party has treated them with neglect and contempt, and has gone on framing tariff acts to please private interests at the public expense, without any consideration whatever of ascertained facts as to the differences in cost of production.

The gentleman is charging us with not going into the cost of production, and I am answering him:

The Republican Party declares that the differences in the cost of production in the United States and other countries are due to the higher labor cost in the United States, and that high protective tariff duties must be levied to equalize these differences and provide a reasonable profit for our manufacturers. In May, 1892, President Harrison submitted to Congress a comprehensive report by the Commissioner of Labor, Carroll D. Wright, on the cost of producing textiles and glass in the United States and in Europe. This report showed that for 70 establishments, of which 38 were located in the northern portion of the United States and the remainder in the southern, the total cost of producing cotton fabrics was \$23,494,056, involving labor costs to the amount of \$6,447,653, or 27.44 per cent of the total cost of production; for 5 establishments shown in this report, in Great Britain, the labor costs were 20.53 per cent of the total cost of production.

The cost of producing woolen fabrics in 30 establishments in the United States for the periods reported by the Commissioner of Labor amounted to \$4,705,112, the labor cost being \$982,981, or 20.89 per cent of the total cost of production. The labor cost in producing these fabrics in Great Britain, as brought out in the testimony before the British tariff commission and published in its report in 1905, ranges from 14 to 24 per cent of the total cost, according to the character of fabrics.

Now, there is the information.

Mr. MOORE of Pennsylvania. I think that scarcely answers the question I asked. I wanted to direct the gentleman's attention to the difference in the cost of labor, the difference in wages paid here and abroad. This extract seems to differentiate between the manufacturer and the workman.

Mr. UNDERWOOD. There is a Republican authority for the gentleman—a report handed in to Congress by a Republican President, in which he says that the labor cost is very much less than half. Now, I will say to the gentleman candidly, after answering him out of the mouth of the Republican Party, that we had before us the testimony of Mr. Clark, of the Bureau of Commerce and Labor. He was sent abroad two years ago to search out the facts and report to Congress, and his report has been published in the tariff hearings and is as accessible to the gentleman as it was to us.

Mr. MOORE of Pennsylvania. He found the wages were less in Europe?

Mr. UNDERWOOD. He states that the difference in cost does not exceed one-half.

Mr. MOORE of Pennsylvania. That is to say, the difference is 50 per cent between wages paid there and wages paid here?

Mr. UNDERWOOD. That is an extreme statement as compared with this report of Mr. Wright, who only makes it 7 per cent difference; but assuming that to be so—

Mr. McCALL. If the gentleman will permit, that is 7 per cent of the total cost of the cloth; it is not simply 7 per cent of the labor cost.

Mr. UNDERWOOD. Certainly; 7 per cent.

Mr. McCALL. That is, it is about 33 per cent more; 20 per cent in one case, total cost, and in the other case 27 per cent—

Mr. UNDERWOOD. Certainly not.

Mr. McCALL. Which would be about 33 per cent more labor cost.

Mr. UNDERWOOD. Oh, no.

Mr. McCALL. That is very clear.

Mr. DALZELL. May I ask this question for information? Does the gentleman contend there is any protection in this bill at all, accidental or incidental, or is it a pure revenue measure?

Mr. UNDERWOOD. It is a pure revenue measure, and being such it could not help carrying some incidental protection, if it levied but one cent of taxes.

Mr. MOORE of Pennsylvania. That is the question I was trying to arrive at, whether consideration had been given to protect the laborer who is employed in these various industries in this country against the unfair lower 50 per cent wage abroad?

Mr. UNDERWOOD. I will say to the gentleman, as I said to this House in the beginning, that we did not write this bill to protect anybody. This bill does carry an incidental protection that far exceeds the difference in the labor cost at home and abroad, and if the gentleman will listen to me I will tell him why. The average cost of production, as shown by the reports of the Bureau of Labor by people who have investigated the woolen manufactures of this country, amounts to about 23 per cent of the value of the product. Now, Mr. Clark, the agent of the Republican Ways and Means Committee

of the last Congress, was requested to go abroad and report the difference in cost between this country and England and Germany. He reported that the difference was about one-half; therefore to protect that difference in cost between this country and England it would take one-half of 23 per cent, or about 11½ per cent, to protect the difference in the labor cost involved in the woolen industry on the average. Now, I am not prepared to go into every detail, but I am giving you the figures of the Census Bureau and of your own agent.

Mr. MOORE of Pennsylvania. The gentleman will pardon me; I do not want him to misunderstand me. He makes the mistake which, I think, is very frequently made by Members on that side, and even by some on this side, of viewing this question solely from the standpoint of the manufacturers' interests. I am trying to draw the gentleman's attention to the man who works in the mill, whose wages are so different in this country from the lower wages paid abroad. This man I want to see protected in any measure that may be adopted by this House, whether advocated on that side or on this. [Applause on the Republican side.]

Mr. UNDERWOOD. I will say to the gentleman that, of course, we could not write a revenue tariff and produce the revenue that is necessary to run this Government without levying a rate higher in every instance than the difference in the labor cost here and abroad. [Applause on the Democratic side.] It would be impossible for us to do it. We could not do it, if we wanted to, and get the revenue, and we have not done it.

Mr. HAMILTON of Michigan. But fundamentally, under the gentleman's theory of levying taxes for revenue only, the committee does not take into consideration the question of labor at all, does it, but simply takes into consideration the question of raising revenue?

Mr. UNDERWOOD. Oh, the gentleman is going into an academic argument.

Mr. HAMILTON of Michigan. No; I am taking the gentleman's own statement, made by himself at the opening of his speech.

Mr. UNDERWOOD. I will say to the gentleman again that we wrote this bill solely for the purpose of raising revenue—

Mr. HAMILTON of Michigan. That is what I said—

Mr. UNDERWOOD. And I will state, in this connection, that the rates of duty in this bill more than double the difference in labor cost between this country and abroad. [Applause on the Democratic side.]

Mr. LONGWORTH. Will the gentleman yield?

Mr. UNDERWOOD. Yes.

Mr. LONGWORTH. I dislike to interrupt the gentleman, and I will promise that this will be the last question I will ask him. It is a question in point. I think the gentleman's answer to this question will develop his theory in the making of this bill. I observe on page 11 of the report, in the last sentence of the first paragraph, this language:

It can not be questioned but that the cost of woolgrowing in Ohio, one of our oldest, most thoroughly cultivated, and densely populated woolgrowing sections, must be approximately the maximum cost of woolgrowing in the United States, and hence that statistical data concerning such cost in Ohio ought to be among the most significant and valuable that could be supplied by the Tariff Board, whether for purposes of legislation or otherwise.

That was made in connection with the gentleman's criticism of the Tariff Board for not having given full information.

Mr. UNDERWOOD. I understand that they have that information, but they refuse to give it.

Mr. LONGWORTH. I do not know whether that is true or not—

Mr. UNDERWOOD. I am so informed—

Mr. LONGWORTH. But let me ask this question of the gentleman: Suppose that the Tariff Board had given to the gentleman information which proved conclusively, in his judgment, that a duty of 20 per cent was not sufficient to equalize the difference between the cost of production of wool, we will say, in Australia and in Ohio. Would that one circumstance have influenced the gentleman in the amount of the duty placed upon raw wool?

Mr. UNDERWOOD. Only so far as it influenced my mind in finding the point where we could levy the required revenue and how high it had to be in order to obtain the revenue that the Government needed.

Mr. LONGWORTH. I think I understand.

Mr. UTTER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from Rhode Island?

Mr. UNDERWOOD. I do.

Mr. UTTER. I understand the gentleman to say that the bill has been framed for the purpose of securing revenue?

Mr. UNDERWOOD. Certainly.

Mr. UTTER. Therefore, in fixing the ad valorem duty, I ask on what you have based the duty to come from, either from less imports or larger imports than at present?

Mr. UNDERWOOD. Larger imports. If the gentleman will examine the report, that fact will appear very clearly.

Mr. UTTER. Larger imports mean less home manufactures.

Mr. UNDERWOOD. Not necessarily less home manufactures, because the country is growing.

Mr. HUGHES of New Jersey. Some people will wear two pairs of shoes instead of only one, for example.

Mr. UNDERWOOD. I will answer the gentleman and say that no man in this country is entitled to a monopoly. Does the gentleman agree with me?

Mr. UTTER. We all agree on that; oh, yes.

Mr. UNDERWOOD. And no industry in this country is entitled to a monopoly. Does the gentleman agree on that?

Mr. UTTER. We all agree on that; yes.

Mr. UNDERWOOD. That no combination of industries in this country is entitled to a monopoly, whereby it can put burdens on the American people?

Mr. UTTER. That is correct.

Mr. UNDERWOOD. If we all agree on that, I say that this combination of woolen industries has had a monopoly of the woolen business in this country for many years.

I want to call your attention to page 179 of this report, where you will find the table from which I have gathered the following facts: The domestic production of manufactured wool in this country the last census year (calendar year 1909) amounted to \$514,732,000. The imports of manufactured wools for that year amounted to \$18,102,000, making the imports and the production amount to \$532,834,000. We exported \$1,971,000, which, deducted from the production and the imports, left \$530,863,000 worth of manufactured woolen goods that the American people consumed in the year.

Now, in this consumption of goods under Schedule K, valued at \$530,863,000, there were only \$18,102,000 worth of imports. The importations amounted to only 3.4 per cent of the American consumption of woolen goods. Was that a monopoly for the American manufacturer?

Mr. UTTER. A monopoly for the American people, but not, perhaps, a monopoly for the American manufacturer.

Mr. UNDERWOOD. Not a monopoly for the American manufacturer! My friend, if you had a grocery business in your town, and by law had control of 96 per cent of the groceries sold in that town, while outside competition could only bring in 4 per cent to compete with you, would you have a monopoly?

Mr. UTTER. If we had 100 groceries in that town we would not have a monopoly for any individual grocer, but we would have the protection of our home market for the home man.

Mr. UNDERWOOD. But you would have a monopoly for the industry; and, more than that, there is nobody in this country who does not know that the American Woolen Co. to-day fixes the price of woolen goods; that it is a monopoly; that it is a trust; and that this industry and that company dictated to a Republican House, prohibiting you from reducing the exorbitant rates under Schedule K in the last Congress. [Applause on the Democratic side.]

Mr. MARTIN of Colorado. Will the gentleman permit a question there?

Mr. UNDERWOOD. Yes.

Mr. MARTIN of Colorado. The gentleman has given the percentage of imports of woolen manufactures at 3.4 per cent last year.

Mr. UNDERWOOD. Yes.

Mr. MARTIN of Colorado. Can the gentleman give the percentage of raw-wool imports for the same year?

Mr. UNDERWOOD. It is stated in the report. I will say roughly that it is not quite 50 per cent.

Mr. MARTIN of Colorado. That would be virtually on a competitive basis, for raw wool, under the present tariff rates.

Mr. UNDERWOOD. I do not deny that the raw wool coming into this country was on an exceedingly competitive basis. The reason for not maintaining the high tax the Republican Party had put on raw wool was that if raw wool was taxed, as a matter of justice, not as a matter of protection, there must be a tax on the finished product as a compensation, whether it was done directly or indirectly; and if we maintained that high tax, amounting to about 45 per cent, it made the burden on the American people too great. There was no question about it being a revenue measure at a competitive rate; but we lowered the rate for the purpose of lowering the burden resting on the American people who were compelled to buy woolen goods. [Applause on the Democratic side.]

Mr. MARTIN of Colorado. It is also a fact, is it not, that it is at a rate that will produce a greater amount of revenue than the rate in the proposed bill?

Mr. UNDERWOOD. Unquestionably. The Payne rate produced \$21,000,000, and this rate will produce \$13,000,000 on raw wool. We reduced the rate, not because it was not a high-revenue rate, but because the tax on raw wool forced us, as a matter of justice, to carry the tax into the ad valorem rate put on the finished product, and so placed too great a burden on the American people.

Mr. MARTIN of Colorado. I wish to ask the gentleman whether the ideal revenue rate upon a competitive article, such as raw wool is admitted to be, is not the rate which will produce the greatest amount of revenue?

Mr. UNDERWOOD. Does the gentleman mean the 20 per cent rate?

Mr. MARTIN of Colorado. No. Would not the ideal revenue rate upon a competitive article be the rate that would produce the maximum of revenue?

Mr. UNDERWOOD. No; I do not agree with the gentleman about that. I think we should raise the maximum amount of revenue with a minimum amount of burden on the American people; and consequently we should, under no circumstances, put the rate higher than that which will raise the maximum amount of revenue necessary for the Government.

Mr. MARTIN of Colorado. Is it not true that the increased importations of raw wool which are contemplated under the proposed law and the increased importations of manufactured wool will both fall on the raw-wool producer?

Mr. UNDERWOOD. I do not question that this bill is going to bring more competition to the American manufacturer; necessarily so. If we are right, it will bring more competition in raw wool; but I think the lower rates of duty will enable the people of the United States to wear less shoddy, less mixed goods, and more wool, and in the end will probably be more to the benefit than to the detriment of the woolgrower.

Mr. MARTIN of Colorado. I want to make one closing suggestion. It seems to me that the debate on the wool tariff revolves altogether around the raw wool. It is conceded that this proposed law will not be of benefit at least to the raw-wool producer. I do not think anybody will make any claim during the entire course of the debate that the producer of raw wool will receive any benefit, directly or indirectly, in dollars and cents. I think, therefore, the debate should turn somewhat upon the benefits of reductions in manufactures.

Mr. UNDERWOOD. I will say that it is true that the men who raise sheep in this country will have the direct protection of 45 per cent under the Payne law reduced incidentally under this bill to 20 per cent, and to that extent, if you are looking at it from a protectionist standpoint, there is that much less protection. On the other hand, the gentleman must not forget that this bill reduces the cost of goods under the Payne law from an average of 90 per cent to an average of 42½ per cent, and when the man who is raising sheep gets that much less protection, incidentally or otherwise, on his wool he benefits by a much greater difference in the reduction on clothes, and his neighbors who do not raise sheep get the full benefit of the reduction.

Mr. CANNON. Will the gentleman from Alabama yield?

Mr. UNDERWOOD. I will yield to the gentleman from Illinois.

Mr. CANNON. I want to see if I understand the gentleman. Raw wool under the Payne law is on a competitive basis with foreign wool that we import?

Mr. UNDERWOOD. I think that is so.

Mr. CANNON. Woollen goods are not, according to your statement, under the Payne law upon a competitive basis, but upon a monopolistic basis?

Mr. UNDERWOOD. Upon a prohibitive basis.

Mr. CANNON. I want to ask the gentleman why he does not let the Payne law rates rest upon raw wool, which is competitive, and cut in two, or down to the proper basis, the finished products which the gentleman says are monopolistic?

Mr. UNDERWOOD. I will say to the gentleman from Illinois, as I said to the House, I am not, nor never have been, a protectionist, and do not believe in the system. I do not believe that the iron furnaces in which I own stock are entitled to make profits by reason of the sanction of the United States Government. [Applause on the Democratic side.] I would not stand for it. But I do believe in justice.

I say that if the raw material that the manufacturer must use is taxed, and his competitor gets his raw material free, it is not protection, but justice, to put such a tax on the competitor's finished product as will equalize the tax placed on the home manufacturer's raw material. Therefore, when the tax

is put on the raw wool as a mere matter of justice to the American manufacturer, you are compelled to lay that much tax, at least, on the foreign competitor who gets his wool free. I do not think the gentleman from Illinois will differ with me in that.

Mr. CANNON. If the gentleman will allow me, if I held the same views as the gentleman does, that the manufacturer's tax on imports from abroad is monopolistic, and the wool producer's tax on foreign wool was competitive, I would reduce the monopolistic tax to where it would be competitive without letting the competitive tax on raw wool be disturbed. [Applause on the Republican side.]

Mr. UNDERWOOD. I have great respect for the distinguished gentleman from Illinois. As to the procedure of this House there is probably not a wiser man in it and no better informed man in reference to the great appropriations of the Government, but his statement clearly indicates that since he has been a Member of this House he has never served as a member of the Ways and Means Committee.

Mr. CANNON. Mr. Chairman, if the gentleman will allow me, I do not pretend to be an expert touching the details of the schedules, and never have. I concede the gentleman is one of the best experts, in my judgment, in either House or Senate, because his attention has been along that line of legislation, while mine has been along the line of appropriation; but any man, it seems to me, a nonexpert, must say that if the one product, raw wool, is competitive with the raw wool of the world under the Payne law, and the manufactured product is monopolistic on account of the high duties on imports, then he would let the woolgrower alone, who is honestly competing, and would cut down the monopolistic tax on foreign manufactured products and get more revenue and more justice.

Mr. UNDERWOOD. Mr. Chairman, I will show the gentleman where he is wrong.

Mr. CANNON. It may be.

Mr. UNDERWOOD. The tax on raw wool now is 45 per cent ad valorem.

Mr. CANNON. But competitive.

Mr. UNDERWOOD. Yes, it is competitive, since one-half of it comes into the country because we can not produce as much wool as we consume. Now, suppose we cut the tax on the manufactured product half in two and bring it down to an average of 45 per cent instead of 90 per cent, it would be brought down to the level of the raw wool, and where would be the protection that the gentlemen on that side of the House claim for the labor of this country if he carried out his plan? I am not working it out on that basis, but that is the gentleman's plan.

Mr. CANNON. Not at all. I was taking the gentleman's statement without admitting the correctness of his statement in any respect; but I want to say to the gentleman that labor in the United States in these great industries is not greatly benefited, from the gentleman's standpoint or from mine, if, under taxation that gives a monopoly to the manufacturer, the manufacturer organizes trusts and, as the gentleman claimed, without letting labor share in the profit.

Mr. UNDERWOOD. Well, I do not say that labor does not get something out of it, but when the Government of the United States gives to this great protected monopoly a 90 per cent protection, when their entire labor cost amounts to only 23 per cent, and the difference in cost at home and abroad is less than 12 per cent, with a 90 per cent protection, it seems to me that an enormous amount of profits are protected.

Mr. CANNON. If that statement is correct, the gentleman's bill is too high in the rate fixed on imports of manufactures of wool.

Mr. UNDERWOOD. Well, I will say that the gentleman's criticism is correct, if we were levying this bill from the standpoint of protecting merely the labor cost. We did not write this bill from the standpoint of protection. He is clearly correct, however, if that were the case. The rates in the bill were adjusted to meet the revenue requirements of the Government.

Mr. MANN. Before the gentleman does that, will he yield for a question?

Mr. UNDERWOOD. Mr. Chairman, I want first to answer the gentleman from Illinois [Mr. CANNON]. I will say to the House that we did not guess at these revenue rates. We employed an expert for the Ways and Means Committee, a gentleman who had been engaged in work of this kind when the Wilson bill was written and who has been engaged in such work for many years. We asked him to figure out the lowest rate at which the maximum revenue could be obtained. Not satisfied with that, we called on the Treasury Department and asked them to detail to the Ways and Means Committee a statistician to make like calculations. The year 1896 was taken as the fairest year under the Wilson law, because the previous years were affected by the panic of 1892, and the subsequent

year, 1897, showed larger importations, presumably due to the expectation that a law would go into effect raising tariff rates, and goods were rushed into this country to avoid paying those higher duties. So, taking the year 1896 as the fairest year under the Wilson law, these experts took a series of years under the McKinley law and compared them with the year 1896 under the Wilson law, and then they reversed the proposition and compared the year 1896 of the Wilson law with a series of years under the Dingley law, considering the importation of raw wool in the Wilson bill as 100 and the importation under the McKinley law as zero, and from that prepared tables showing the increase in the amount of importations following reductions in rates.

Now, that is an estimate; it is not a fact, but it is as close an estimate as men can make. The estimates which were made under this bill by these statisticians show that if we levied a revenue rate of 40 per cent on cloth and 45 per cent on clothes and adjusted the duties down the line proportionately to the rate on the raw material, omitting the revenue from raw wool, but retaining the rates adjusted for the manufactured products on the basis of the duty on raw wool, we would raise \$27,000,000 and be \$13,000,000 short of the amount of revenue required from Schedule K. Now, the only way we had to make up the needed revenue was by placing a duty on raw wool. We could not lower the rates throughout the remainder of the schedule and get more revenue, because we had passed below the rate where the greatest amount of revenue could be raised. If we had made the rates on the manufactures of wool 10 per cent lower than as adjusted in the bill—that is, reduced from the average of 42 to 32 per cent—we would have only raised, according to our figures, about \$20,000,000. Therefore we could not reduce the rates more without abandoning the Treasury. So instead of reducing the rate below 40 and 45 per cent in this bill, which cut the Payne bill in two, we levied a tax of 20 per cent on raw wool, taxed the manufacturer to the extent of 20 per cent, which these statisticians say will bring \$13,000,000 in revenue, making the schedule produce \$40,500,000 during a twelve-month period compared with \$41,000,000 produced during the fiscal year 1910 under the Payne law, but more revenue than Schedule K will yield this year; at the same time we have made a competitive rate, not of 42 per cent on the average, but equivalent to 32 per cent on the average, because we have tied the hands of the American manufacturer to the extent of the 20 per cent tax we levy on raw wool. Now, it is fair to say that when you transfer the raw wool into the finished product it does not mean you have got to add 20 per cent compensatory duty on the finished product. As far as I can estimate it, if we divide the tax on raw wool by 2 and add the result to the tax on the finished product you provide a fair compensatory duty. As will be readily seen, the 4 pounds of wool in a pound of the cloth in my suit of clothes, or 3½—but say 4 pounds to make the computation easy—if the raw wool cost 25 cents a pound and it would be taxed—

Mr. MANN. I hope the gentleman will not let it go in the Record that he is wearing a suit that only cost 25 cents a pound.

Mr. UNDERWOOD. I am speaking of the raw wool in it. Suppose the wool in a pound of the cloth in this suit cost \$1—I do not know what the wholesale importing price is—but I suppose it is somewhere in the neighborhood of \$1.75 to \$2 per pound or per yard. Suppose the cloth costs \$2 a yard and coming in as cloth should pay only 20 per cent ad valorem. The tax this pound or yard would pay, at the wholesale importing price of \$2, would be 40 cents. In this yard, the wool, which has cost \$1, paid 20 cents in tax. It is evident that an ad valorem rate on the finished cloth of half the rate on the raw wool—that is, 10 per cent—would make the tax on the cloth 20 cents, or just the amount of the tax on the wool. The cloth in the suit would pay, at 20 per cent ad valorem, a total tax of \$1.60. In the making of the suit the 16 pounds of wool used paid, at 20 per cent ad valorem, a total tax of 80 cents. Hence, if the cloth in the suit bore a 10 per cent tax on its value this tax would equalize the amount of the tax paid on the wool used in making the cloth. It will be seen that you do not carry the full 20 per cent tax as a compensatory duty against the finished product. Now, I will say a great many manufacturers claim that you ought to carry 65 per cent of the tax you levy on raw wool into the ad valorem rate on the finished product as a compensation for the tax they pay, but after carefully estimating and working it out as far as the committee and the experts could, I think by carrying 50 per cent of the tax on raw wool into the ad valorem rate on the finished product you fully compensate the manufacturer.

Mr. CANNON. Will the gentleman allow me right there?

Mr. UNDERWOOD. Yes.

Mr. CANNON. It seems to me that the gentleman makes an error that leads to an injustice to the woolgrower by calling that raw material when there is no raw material.

Mr. UNDERWOOD. I beg the gentleman's pardon. I did not call it raw material; I called it raw wool. I suppose it is the manufactured raw material.

Mr. CANNON. As raw material it sinks away now, being on a competitive basis, on the ground that this is substantially raw material. Yet it is the finished product of the woolgrower. Now, the gentleman goes to the finished product of the manufacturer, imported, and claims that under present law it gives the American manufacturer a monopoly, and then reduces the duty on raw wool imported one-half, when under the Payne law it is now upon a competitive basis, and it seems to me it is a little bit like free hides in one sense, where the manufacturers of shoes were very anxious for free hides and got them, and thereby we lost \$3,000,000 of revenue annually without getting any reduction in the price of shoes or leather.

Mr. UNDERWOOD. I realize that; and we have been more diligent in our pursuit of the interests of the Treasury, in taking care of the Treasury, than the gentleman's side was with respect to the Payne law. But I will say to the gentleman from Illinois that I have no dispute with him about raw material. I know of no raw material except the sunshine, air, and water. The wool I called not "raw material," but "raw wool," because I knew of no better name than "raw wool" by which to describe it.

Mr. MANN. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from Illinois?

Mr. UNDERWOOD. I do.

Mr. MANN. I could not, or at least did not, quite follow the gentleman while he was giving his explanation of why he does not figure the entire amount of duty paid on the wool in considering the amount of tariff upon the finished product or cloth. Take cloth. On the average the importation value of cloth is about \$1 a pound. If, for the purpose of argument, we assume 4 pounds of wool to a pound of cloth, the duty on the wool therein would be 17 cents, on the basis of last year's importation of class 1 wool. Now, why does not the manufacturer have to pay, on the gentleman's assumption, 17 cents a pound more for that wool than if it were free? And, if so, why should he not have that compensation in figuring that amount of tariff on the cloth?

Mr. UNDERWOOD. I will say to the gentleman that I have not the figures at hand, but I have examined them carefully in my office. I can not stop now to make them over again, but I will, with the gentleman's permission, put the accurate figures in my remarks when they are printed. But I would say to the gentleman that he can readily see that the wool in the suit of clothes I am wearing, coming into this country as raw wool, is of less value than as manufactured wool in this suit. Therefore an ad valorem rate levied on it as manufactured wool produces a greater amount of revenue in one instance and more of a result to the manufacturer in the other than if it should come in as raw wool. In other words, assuming for the sake of this argument—and I will put in the correct figures—that the value of the wool in this suit, unmanufactured, as the American manufacturer buys it, is worth \$1 at the customhouse, why, then, 20 per cent on that would be 20 cents; and assuming that the manufactured wool in this suit when it comes in is worth \$2—and it certainly is in that proportion, if not more—if we should levy a tax of 20 per cent, that would really give a protection of 40 per cent—not merely a compensation. All he is entitled to is a compensation of 20 per cent.

From the best figures that I can get, I think if you divide by two the tax you put on raw wool, or take 50 per cent of the tax and carry that into the ad valorem rate on manufactured goods, you have given the just compensation for taxing the manufacturer.

Now, I am free to say that many of the manufacturers do not agree with me about this. Many of them admit that the entire tax on the raw wool ought not to go in, and I do not know of any manufacturers who claim that more than 65 per cent of the tax ought to go in the rate on the finished goods. In other words, some of them claim that if you tax raw wool 20 per cent the compensatory equivalent that should go into that tax on the finished product should be as much as 13 per cent. I figure that when you tax raw wool 20 per cent, 10 per cent is a fair equivalent to go into the tax levied on the finished fabric. Now, this does not work out in every case. If you take a very light suit of clothes, with a very small amount of wool in it and a very high cost of labor, of course there is very little wool, and probably 5 per cent would be a necessary equivalent for the fabric; but if you take a very heavy suit

of clothes with a great deal of wool in it and less labor, then the 50 per cent equivalent, making it 10 per cent ad valorem, may be under the mark.

Mr. MANN. But does it not work out in every case that the American manufacturer who pays the duty or buys American wool pays that much more for the wool, equaling 20 per cent, or equivalent to about 5 cents a pound?

Mr. UNDERWOOD. You mean he pays that much more for the wool than the foreign manufacturer does?

Mr. MANN. Yes; more than the foreign manufacturer.

Mr. UNDERWOOD. Unquestionably. There is no dispute about that. Therefore I say in this report that it figures out that the rates amount to 42.55 per cent; but I state in my report that the competitive point is not 42.55 per cent, but it is really competitive at 32.55 per cent. But the incidental protection that the American manufacturer gets out of this bill only amounts to 32.55 per cent instead of 42.55 per cent. And I am free to say to the gentleman that I think this is the most competitive bill that has ever been brought before the House of Representatives since the Walker bill of 1846.

Mr. MANN. As I understand the gentleman, in fixing the amount of the ad valorem upon the finished product, on the cloth, clothing, and so forth, in order to do justice there was some consideration given to the fact that there was an ad valorem tax upon the wool.

Mr. UNDERWOOD. Of course. We are not protectionists, but that is a mere matter of justice.

Mr. MANN. I am not arguing that question. That is only a preliminary proposition. Is the gentleman able to say what the amount of wool is in the different products that are carried by this bill, such as dress goods, clothing, and things of that sort, having taken into consideration the amount of the tariff on the wool itself?

Mr. UNDERWOOD. We estimated that very carefully in the committee. I estimated it myself. I have not the figures in my head as to the difference.

Mr. MANN. Are they in the report?

Mr. UNDERWOOD. Only in a general way.

Mr. MANN. Does the gentleman expect, before he concludes his remarks, to discuss the paragraphs in the bill?

Mr. UNDERWOOD. To some extent. I will say to the gentleman that I can not carry in my mind the actual estimates on each paragraph, because, aside from that, you take cloths, which vary in weight to a very great extent. We estimated in reference to a number of different weights, but these would be of no especial value here. I have it, though, in this report.

Mr. MANN. It may not be of value, and still it is interesting if the gentleman has it. Take women's and children's dress goods, not composed entirely of wool, or in the main, as I understand, but composed of cotton, on which there is no tariff. Has the gentleman's committee made an estimate of the amount of wool in the quantity of those goods that are expected to be imported?

Mr. UNDERWOOD. Of course we could not go into that detail, and neither could anybody else. In order to be taxed as wool, the chief component part must be of wool.

Mr. MANN. That is not the case as I understand it.

Mr. UNDERWOOD. If it is to be taxed as wool, that is the case. Of course it varies as to clothing. But I will say to the gentleman that writing a bill for the purpose of protecting some one is one thing and writing a bill to supply the Government revenue at the least rate possible and to get the money is another thing.

Mr. MANN. Do I understand the gentleman to say that this language in the bill "on women and children's dress goods composed wholly or in part of wool, and not specially provided for in this act, the duty shall be 45 per cent ad valorem," that the customs office ascertains under that which has the most value, cotton or wool?

Mr. UNDERWOOD. If the gentleman will look at the law, he will see that this is what governs.

Mr. MANN. This is another proposition entirely. Here is an act that stands by itself and says "composed wholly or in part of wool shall be 45 per cent," and so forth. I will not ask the gentleman to delay now—

Mr. UNDERWOOD. As the Secretary of the Treasury states, the courts have repeatedly held that "cloths made wholly or in part of wool" covers only such cloths in which the wool is the element of chief value, the latest decision upon this subject being that of the United States Circuit Court of Appeals for the Second Circuit in *United States v. Johnson* (157 Fed. Rep., 754; T. D., 28516).

Mr. HARDY. Will the gentleman yield?

Mr. UNDERWOOD. I will yield to the gentleman from Texas.

Mr. HARDY. I want to say that it seems to me that if you levy a duty of 20 per cent on raw wool and then levy a duty of 20 per cent on the finished product it would totally compensate the manufacturer for the duty he paid on the raw wool and in addition give him the same degree of protection for the other elements composing the finished product. That is, both he and the wool grower would be protected equally.

Mr. UNDERWOOD. It would not go to that extent. If my figures are correct, if you levy 20 per cent on raw wool and then 20 per cent on the finished product, you compensate the manufacturer to the extent of 10 per cent, and he would get an incidental protection of 10 per cent.

Mr. HARDY. The gentleman does not understand my statement. When you levy a duty of 20 per cent on the finished product—that is, on the total value of the finished product including the raw wool and the labor required to convert the wool into cloth—does not that fully compensate him for the duty paid by him on the raw wool and give him an equal protection besides?

Mr. UNDERWOOD. It gives more than compensation; it gives the manufacturer an incidental protection. It undoubtedly gives full compensation and more than full compensation.

Mr. HARDY. All you put above that rate for purposes of revenue is protection incidentally.

Mr. UNDERWOOD. Of course.

Mr. HARDY. The same rate on the raw wool and the finished product would be full compensation and more; it would be incidental protection?

Mr. UNDERWOOD. The gentleman means that the manufacturer is more than compensated by the tax of 20 per cent on the finished product, for the 20 per cent on raw wool. The gentleman is undoubtedly right. He is more than compensated, because, according to my estimate, if you do not want to protect him, incidentally or otherwise, merely want to give him a compensatory duty, if you levied a 20 per cent duty on raw wool you should levy a 10 per cent duty on the finished product. In my judgment he would be compensated for the tax you levied on the raw wool by reason of the increased value of the finished product.

Mr. HARDY. I agree with the gentleman from Alabama, and I think he agrees with me. I say by the same percentage he would be not only compensated, but given a degree of protection.

Mr. UNDERWOOD. Yes. He would not be given the same amount of protection, because under that the raw-wool producer would be given 20 per cent incidental protection and the manufacturer 10 per cent protection.

Now, Mr. Chairman, I apologize to the House for the time I have consumed, but Members have desired to ask me questions, and I have been compelled to answer them. I will bring my remarks to a conclusion in a very few moments.

Mr. RUCKER of Colorado. Mr. Chairman, I would like to ask the gentleman a question.

Mr. UNDERWOOD. I will yield to the gentleman from Colorado.

Mr. RUCKER of Colorado. Looking at this matter from the woolgrowers' standpoint, the gentleman from Alabama has been very thorough as to what was incidental protection to the manufacturer, and also he informed the House quite clearly that the Ways and Means Committee by this bill has put the manufacturer on a competitive basis. I want to say to the gentleman that we woolgrowers do not come in at all, because there is no incidental protection whatever, and we have been knocked out of competition; but that is not the question. The gentleman has said that this was intended for the purpose of raising revenue. My question is, Why is it necessary to reduce the rate on raw wool when we already have a surplus of imported wool into this country to an amount equal to one-eighth of all that was imported in the last year?

Mr. UNDERWOOD. Mr. Chairman, I will say to the gentleman that in the opinion of the committee, if we had left the tax on raw wool as it was and then put sufficient tax on the finished product to make the \$40,000,000 we were trying to raise, and at the same time compensate the manufacturer for the tax of 45 per cent that he had to pay on this raw wool, we would have had to put our rates much higher than we have them now and put the burden on the backs of the American people much greater than it is in this bill. Therefore, we declined to write a bill in that way, and we wrote the bill in a way—and the only way—in which in our judgment it could be written and obtain \$40,000,000 from Schedule K and at the same time put the least burden upon the backs of the American people.

Mr. RUCKER of Colorado. Mr. Chairman, that is just the point. Now, one word more. How is the American consumer of goods going to be benefited by a reduction in this rate inas-

much as we already have, as I say, a surplus up to yesterday in New York, Philadelphia, and Boston of 33,000,000 pounds, equal to one-eighth of the production for the last year?

Mr. UNDERWOOD. The gentleman means of wool?

Mr. RUCKER of Colorado. Yes; and I want to know what the relation is between the reduction of the duty and the consumer's price that he will have to pay for the goods?

Mr. UNDERWOOD. As the gentleman understands, if this bill becomes a law we hope it will be such a satisfactory law—it will not be for to-morrow only, but for a number of years to come, and the immediate market for raw and manufactured wool to-day is not the point we are considering.

Mr. MANN. Do I understand that there is no expectation on the part of the gentleman to reduce the tariff on raw wool for a number of years if the gentleman's party is in control?

Mr. UNDERWOOD. I did not say that, and I am not predicting.

Mr. MANN. But the gentleman says that he hopes the bill would be so satisfactory that it would not be changed for years to come.

Mr. UNDERWOOD. I do.

Mr. MANN. Which would mean of course that the gentleman would hope there would be no reduction in the tariff on raw wool?

Mr. UNDERWOOD. I am in hopes that this bill will prove a great satisfaction to the American people after the burdens they have struggled under for the last 25 years.

Mr. MANN. Why does the gentleman say "25 years"? Why does the gentleman take such special delight in including that time when they did struggle under burdens while the Wilson bill was in effect?

Mr. UNDERWOOD. They were not burdens under the wool schedule.

Mr. LONGWORTH rose.

Mr. UNDERWOOD. Mr. Chairman, I hope the gentleman from Ohio will please not interrupt me any more. I have tried to answer everybody, and really I am becoming worn out.

Mr. LONGWORTH. This is a question which seems to me in point, but if the gentleman does not desire to be interrupted—

Mr. UNDERWOOD. I will ask my friend not to, because if I yield to one gentleman I must to another, and I would like now to conclude my remarks, because I am myself becoming tired making my own argument.

Mr. Chairman, I only want to say in conclusion that we have written this bill primarily to reduce the burdens resting on the American people. On cloths that the American people have to buy we have reduced the tax under this bill from 97 per cent to 40 per cent. What does that mean? It means that the man who brings into this country 10 yards of cloth for his family under the Payne tariff law—if the cloth is worth \$1 a yard—would have to pay \$9.70 tax. If this bill is enacted into law, and he brings in that cloth under similar circumstances, he will pay \$4 in tax. There will be a saving to him when he imports the 10 yards of cloth of \$5.70, and not only that, but the competition coming from abroad will reduce the price charged by the American manufacturer. I have estimated that the tax imposed on the people who buy cloth in this country, the tax paid to the American manufacturer, amounts to over \$100,000,000 a year, while the tax collected under the Payne law at the customhouses amounts to only a little over \$15,000,000 a year. That is where the burden rests on the American people.

On blankets we have reduced the tax from 95½ per cent to 30 per cent ad valorem.

If a man brings into this country or buys from a protected manufacturer a blanket for \$2, under the present law his tax would be \$1.90. If this bill becomes a law, his tax will be 60 cents. On the \$2 blanket we will have reduced the tax from \$1.90 to 60 cents, a saving to the American consumer of \$1.30 on a \$2 blanket. On women's dress goods the average rate under the Payne law is 102 per cent. We reduce it to 45 per cent. On \$10 worth of women's dress goods imported into this country to-day the man or woman who brings them in would have to pay a tax of \$10.20. If this bill becomes a law, he or she would have to pay a tax of \$4.50.

Mr. MANN. Will the gentleman yield for a question there?

Mr. UNDERWOOD. I would like to finish—

Mr. MANN. Well, I know, but the gentleman is in charge of a great bill, and ought to be willing to give information, and I am sure he is willing to do so, and the House will be patient with him. I notice that the proposed tariff on men's clothes is 40 per cent. That is mainly wool. The tariff on women's and children's goods is 45 per cent, largely cotton. Why is the discrimination made now against the women's and children's goods in the rate of duty?

Mr. UNDERWOOD. Well, I do not at all agree with the gentleman in his premise. He assumes that the women's goods that are imported are largely cotton. When they are largely cotton they will be taxed as cotton, and I will say to the gentleman that the goods imported are not largely cotton, that the cotton goods that the American people have to buy are of American manufacture. It is not foreign goods that come in here under these rates of duty that are made up of cotton and shoddy, but it is American manufactured goods that are sold behind this prohibitive protective tariff wall that have cotton and shoddy in them.

Mr. MANN. Is it not a fact that women's and children's goods are largely cotton warp and woolen filling?

Mr. UNDERWOOD. Some of them are, but I am talking about the ones that come in—

Mr. MANN. I am talking about the class of goods imported—

Mr. UNDERWOOD (continuing). Under this provision of the bill, but the gentleman is wrong.

Mr. MANN. Assuming, then, they are the same, why is there a discrimination of 5 per cent against women's and children's goods in favor of men's goods?

Mr. UNDERWOOD. If I recollect the figures aright, we found that by adding that 5 per cent to the particular class of goods it meant an increase in revenue of about a million and a quarter dollars—I can not be accurate, but that is my recollection—and it was put on there to get that million and a quarter dollars, because we were striving to bring the revenue features of this bill up to \$40,000,000.

Mr. MANN. Could not it easily have been raised by taxing wool? Instead of taxing women's and children's goods, why not tax the men's goods?

Mr. UNDERWOOD. Well, it was a question where the tax would produce the greatest result, and as the man pays for the goods in the end I do not think it is very material whether, in the first instance, he paid for it or the woman. [Applause on the Democratic side.]

Mr. MANN. It would be a very great comfort to a great many women in the country to know that the man pays for the goods. It is about an even chance that the women pay for the goods.

Mr. FOSTER of Illinois. They would have to pay much less on women's goods under this bill than under the Payne law.

Mr. UNDERWOOD. I was coming to that, and I want the gentleman to take home to his constituents the fact that under this bill the women of Chicago, when they buy \$10 worth of goods and bring them into this country or pay to the protected manufacturer, they have to pay under the Payne law \$10.20 in taxes to the American manufacturer or at the customhouse, whereas under this bill they will pay only \$4.50 in taxes.

Mr. MANN. That is a subject of great controversy between the two parties. That represents a principle. But what principle is involved in taxing the women's and children's goods 5 per cent more than the men's goods? What principle is involved in that?

Mr. UNDERWOOD. I have already told the gentleman that no principle was involved in it. I will add also that, under the Payne Act, on the imports of 1910, the actual duties levied on women's goods were 5 per cent higher than those on the men's goods—102 per cent on the women's goods, compared to 97 per cent on the men's goods. We worked this out from a statistical standpoint.

As I said, we found we could raise this additional million and a quarter of revenue, according to our estimates, and we put it on for that reason—because we needed the revenue.

Now, I want to say in conclusion, thanking the House for its attention, that we have reported to this House a schedule that the experts, both of the Ways and Means Committee and of the Treasury Department, say will produce as much revenue as is produced by the corresponding schedule of the Payne law; that we have reduced the burden of taxation resting upon the American people on manufactured woolen goods from an average of 90 per cent to an average of 42½ per cent. Under this bill the incidental protection is far in excess of any difference in labor cost at home and abroad. We have reduced the rates in this bill from the prohibitive rates of the Payne law to a real competitive basis, where there will be at least some honest competition in favor of the American consumer. We have written this bill in compliance with the faith of our party. We have not violated the promises made to the country, as the Republican Party did two years ago [applause on the Democratic side], but we have kept faith with the American people, and we propose to go on in this tariff revision, keeping faith until we have revised each one of these schedules to an honest, competitive basis. [Prolonged applause on the Democratic side.]

The statement, prepared by Mr. HILL and ordered printed in the RECORD, is as follows:

WASHINGTON, D. C., June 5, 1911.

HON. CHAMP CLARK,
Speaker House of Representatives.

MR. SPEAKER: As I am compelled to be away during the progress of the debate, I ask unanimous consent that I may be allowed to print in the RECORD a criticism on the Underwood Schedule K as prepared by me and printed in the New York Journal of Commerce of Saturday last, and with it letters from three manufacturers of woollens in Connecticut. These men are not only independent of any trust or combination, but are considered to be the producers of as fine products as any other mills in the country, and all three of them are literally great "captains of industry" and know whereof they speak.

Very truly, yours,

E. J. HILL.

I also submit the Saturday market report from the Daily Trade Record, a purely nonpolitical trade paper.

DEMOCRATS' WOOL BILL SHARPLY CRITICIZED—CONGRESSMAN HILL SAYS IT IS POLITICAL MEASURE—IF ENACTED HIS OPINION IS THE WOOL AND WOOLEN INDUSTRY IN THE UNITED STATES WILL BE WIPE OUT—SAYS THE FABRIC RATES MUST BE INCREASED TO AT LEAST EQUAL COST OF MANUFACTURE.

WASHINGTON, June 2, 1911.

Congressman HILL, of Connecticut, to-day, after a thorough examination of the Democrats' wool and woollen bill, expressed great dissatisfaction with it. He is a Republican member of the Ways and Means Committee and a most competent critic of the bill, and a fair one, too, being in favor of a revision of Schedule K, but he says the bill, if enacted, would mean the annihilation of the wool and woollen industry of the United States. In an interview given out by him, and it is the first Republican criticism, he says:

"The title of the bill is 'A bill to reduce the duties on wool and manufactures of wool.' So far as the effect on this country is concerned, it might be 'a bill to reduce wool and manufactures of wool,' for that will unquestionably be the effect of it. The Wilson bill was the last expression of Democratic ideas on the wool tariff. Its effect on the whole was disastrous to the industry at that time, although undoubtedly there were some cases where, in the three and a half years of its existence, some establishments prospered in making specialties with the advantages which free wool gave, but taking it as a whole I think the practically unanimous opinion of both the woolgrower and the woollen manufacturer was that it was not then possible to successfully carry on the business of either growing or manufacturing wool in this country at the rates prescribed by the Wilson bill. Undoubtedly the improvement in manufacturing facilities and the reduction in interest rates in the last 16 years would be somewhat helpful in the prosecution of either branch of the business at the same rates now; but I think it is a fair assumption that when those rates have been named, or their equivalent, it is the last word possible with reference to the woollen industry, and that any reduction below those rates means the carrying on of the business in the future in a poor and dying condition, with a reasonable certainty of its speedy elimination from among the great industries of this country.

"The pending measure is undoubtedly a political proposition not intended to be put in operation as it is, but presented in the expectation that the duties on fabrics will be increased in the Senate and that the duties on wool will remain as the bill prescribes, thus throwing the burden of prescribing such rates as will maintain the industry in this country upon the Republican Party.

"As the bill is drawn, with the fabric rates below the difference in the cost of production, its effect upon the woolgrower will be worse than free wool, for, of course, no man will either buy domestic wool or import wool in the grease as a material for manufacturing if he knows in advance that he must sell the finished product at less than cost. As a result, whatever importations there are will be of fabrics, and the market for the domestic woolgrowers' product will therefore be taken away from him, except at the London price, less the cost of transportation both ways. With free wool and the difference of the cost of production of the fabric provided for by an equivalent rate of duty the market for domestic wool would be preserved, with the added advantage of the transportation on the foreign wool to the United States in favor of the American producer.

"I said that the Wilson bill rates were the last word possible to the preservation of the woollen industry in this country. The duty of 20 per cent on wool in the grease means an equivalent duty of 12 or 13 per cent on the fabric. This alone would make the bill impossible if the fabric rates were the same as the Wilson bill, but they are not. Even Mr. UNDERWOOD concedes that they are 5.29 per cent lower, taking the whole schedule, carpets and all, than the Wilson bill; but taking cassimeres and worsteds and dress goods for men and women, they are 10 per cent less, and in some cases lower still, which, added to the compensatory duty on the fabric because of the duty on the wool, would make, as closely as it can be figured, the general rates of this bill 25 per cent less than the Wilson bill.

"I would be very glad to have any woollen manufacturer, in any branch of the industry, write to me and give me as briefly and succinctly as he can his experience under the rates of the Wilson bill, and do it as promptly as possible, for I am convinced that the maintenance of the industry in the United States under this proposition is impossible with an experience 25 per cent worse than that which they had during the three and a half years of the operation of the Wilson law.

"But there is another feature to this matter, and that is the question of revenue. Theoretically the bill is brought forward as a revenue measure, and even with the estimates made by the committee and published as a part of the bill the schedule will show a diminution of revenue from last year of \$1,500,000.

"In making these estimates the committee has assumed that for the next year there will be an increase in the value of importations of wool in the grease of between \$19,000,000 and \$20,000,000 and an increase in fabrics of between \$40,000,000 and \$41,000,000 in value. That value of wool in the grease represents 96,500,000 pounds, and the wool in the increased fabric importations represents 85,500,000 pounds. This means that if we are to come within \$1,500,000 of getting the same revenue under this bill that we received in 1910 we must necessarily import in the grease and in the fabric 182,000,000 pounds more of wool than we did last year; and there can be but one conclusion, and that is that this must supplant and displace 182,000,000 pounds of wool grown in the United States. As this is about two-thirds of the entire product of the United States, it is only confirmation of the first proposition which I made—that the bill absolutely de-

stroys the market for the domestic grower of wool and puts him in a worse position than if we had free wool, with fabric duties sufficient to preserve the industry of manufacturing the raw material in this country.

"Which horn of the dilemma the Democratic members of the committee will take I do not know, but one thing is certain, that if this wool comes to the United States it will destroy the American market. If it does not come, they do not get their revenue.

"By way of suggestion, let me add that in this \$41,000,000 of increased fabric importations there is lost to the United States about \$12,000,000 worth of human labor in the manufacturing processes alone, which means the throwing of 23,000 persons out of employment in that industry.

"It is easy to be seen that there is at least reason for differences of opinion as to the value of legislation of this kind."

ROCKVILLE, CONN., June 1, 1911.

HON. E. J. HILL, Washington, D. C.:

Letter just received to-night. We ran short time under Wilson bill and many concerns were obliged to reduce wages. Foreign mills flooded the country with goods, and it took several years for the market to recover. The proposed bill will surely put us out of business. Wilson bill was disastrous enough, and anything approaching it would tend to destroy the whole woollen industry; ad valorem duties imposed would probably be greatly undervalued, say 10 to 50 per cent, as recently happened, and we would have little or no protection under the new bill.

F. T. MAXWELL.

ROCKVILLE, CONN., June 2, 1911.

HON. EBENEZER J. HILL,
Congressman, Washington, D. C.

MY DEAR MR. HILL: I received your letter of 31st ultimo last night and immediately wired you a few facts regarding the results of the Wilson bill to the woollen trade, and now wish to supplement those facts, after reading and considering the new proposed Underwood woolen-tariff bill, published in this morning's paper.

The proposed bill is so much worse than the old Wilson bill that I feel sure that if it passed it would drive the whole woollen business (amounting to some \$400,000,000 annually) out of the country practically.

The Wilson bill made a good start toward cleaning the woollen manufacturers out of business, and if continued a few years longer might have done it very effectually. It did allow the foreigners to flood our markets with low-priced goods, which were not consumed for a long time after the Dingley bill had become a law.

The Wilson bill gave us free raw material and 50 per cent ad valorem on our fine goods, but the proposed Underwood bill charges us 20 per cent on our raw material and only gives us 40 per cent on our goods. In order to make it anywhere near equitable as compared with the Wilson bill, we should have, under the new tariff, 60 per cent duty on our goods to equalize the 20 per cent extra charged on the raw material.

MR. UNDERWOOD says that he expects to have \$40,000,000 worth of goods imported, which lets the cat out of the bag. In other words, he wants \$40,000,000 worth of goods made abroad instead of in this country; and that, of course, means the stopping of our mills here, and our workmen will be idle and suffering, and the soup houses will have to be started again, as in the time of the Wilson bill.

The Democrats apparently desire to close out the whole woollen industry and throw our product of \$400,000,000 annually over to the English and Germans, resulting in the starving of our workmen in the woollen line.

If they carry their plans through Congress, they may expect an uprising in the manufacturing districts such as occurred in 1894, when Connecticut was carried Republican by 17,000 votes, as against Connecticut being carried in 1892 by Cleveland, Democrat, by 5,000 votes.

The woollen mills are beginning to feel the effects of tariff-reduction talk very seriously; our customers refuse to buy goods when there is a possibility of purchasing them later here or abroad at less price, and it is going to be a very serious matter.

Ad valorem duties are never fully collected, and no foreign country enacts such duties where it is possible to use specific duties. We have very recent evidence in the woollen and other lines of serious undervaluations, and they are going on every day, and can not possibly be stopped; but the pound duties are sure, and the Government gets its money and the honest importer gets fair competition under that method of duty.

I thank you for your letter, and will be pleased to hear anything new that you can give me.

Yours, sincerely,

FRANCIS T. MAXWELL.

BOSTON, MASS., June 3, 1911.

HON. E. J. HILL,
Congressman, Washington, D. C.:

Your ideas on the Schedule K are all right. Any such change as the bill proposed would mean ruination to the woollen industry of this country.

FREDK. SWINDELL.

SOMERSVILLE, CONN., June 3, 1911.

HON. E. J. HILL,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I note in the morning paper that you request all woollen manufacturers interested in the proposed tariff bill recently introduced in Congress to write you their views in regard to it. I have been in the woollen business for 40 years, manufacturing woollens entirely, and, in my judgment, no tariff legislation has ever been proposed that will so seriously injure the woollen manufacture business as the proposed legislation. Our business will suffer more adversely under a bill of the character proposed than it did under the Wilson bill. Under the Wilson bill we had equally as much protection on manufactured goods as we will receive under the proposed bill, and, in addition to that, we had wool free. I note in the public press that the claim is made for this bill that it will not reduce the revenue of the Government more than one and one-half million from duties on wool and woollens below that received under the present tariff laws. If this be true, it must follow that importations of woolls and woollens will be increased 100 per cent over the present amount imported. A large part of this increase would undoubtedly come from the increased importation of manufactured goods. This would result in a decreased amount of goods

manufactured in this country to whatever extent the importation of manufactured goods would be increased. The results under a bill of this kind would be that the manufacture of woollens would be so paralyzed and so reduced that it would result disastrously not only to the manufacturers, but to the producers of wool as well, owing to the decrease in the amount of raw wool consumed. It is impossible for the wool grower to be prosperous and receive an adequate return for the wool he may grow unless the wool manufacturer is so situated that he can consume the wool at a profit to the manufacturing end of the business.

With 20 per cent duty on wool and a duty on goods on the same level as the Wilson bill carried, the result is not in doubt. Such a bill if enacted into law would be the greatest blow that the woolen business has ever received during the many years that I have been familiar with the business. There should be a fair duty on raw wool, either ad valorem or specific, the latter I personally favor, and a reasonable ad valorem on the manufactured goods, and in addition thereto, a compensatory duty equivalent to the ad valorem or specific duty on raw wool.

Yours, truly,

GEO. E. KEENEY.

[Daily Trade Record, New York, June 3, 1911.]

PIECE GOODS—MARKET DISCUSSES TARIFF.

Nothing had stirred the market for some time to quite the extent that the news of the proposed tariff plan has as it passed the caucus of the House of Representatives by unanimous vote on Thursday. The opinion was very general that the bill as proposed will never become a law. Briefly, so far as the trade is concerned, it affords 5 per cent less protection against the influx of imported merchandise than did the Wilson bill, and deprives of the opportunity of entering the world's market for raw wool, which condition that bill contained. In other words, if the Wilson bill was bad for the industry, the proposed plan is worse. Criticisms were of the most severe character and were apparent on every hand. The claim that the lessened revenue on raw wool will be made up by the increase in the importations of merchandise is looked upon as one of the weakest assertions favoring the change. It takes but little figuring, it is pointed out, to ascertain what this means to the American workmen.

The difference, it is claimed, will be in the neighborhood of 60,000,000 yards, or about the production of the American Woolen Co. Obviously, this deprives employment for about 35,000 operatives, who in their turn take out of circulation, at a low estimate, \$350,000 a week. When the amount which goes abroad, which includes the purchase price of the fabric, this item alone, it is said, takes \$160,000,000 out of circulation in this country. Others were inclined to look upon the attempt to put through a bill of any character whatsoever in the face of an imminent report by a board of scientific experts as being of a decidedly presumptuous character. The opinion was almost unanimous that if this bill becomes a law the mills of the country may as well go out of business. Although, of course, when foreign sentiment against increased production is considered, this situation is hardly likely of development at least under a year, because of the satisfactory state of the business in those countries. They are now enjoying the highest degree of prosperity of their history, and it is said are adverse to increasing production on the same scale that is characteristic of the industry here.

Mr. UNDERWOOD. Now, Mr. Chairman, I would like to ask the gentleman on the other side to consume some time.

Mr. DALZELL. Mr. Chairman, the gentleman from New York [Mr. PAYNE] was compelled to go away. There is nobody on this side of the House who is ready to go on, so far as I am informed.

Mr. UNDERWOOD. I expected some time to be used on that side of the House, and I will state to the gentleman candidly that, expecting that, I was not prepared to go on, on this side, immediately.

Mr. MANN. Let us rise.

Mr. UNDERWOOD. I do not think there is anyone here, Mr. Chairman, who is ready to go on; and I wish to say to the Members of the House that I do not wish to drive the debate on unreasonably, but I do not think it is right ordinarily for the committee to rise this early in the afternoon.

Mr. MANN. If the gentleman will recall, his report was not obtainable until late this morning, and no one has had a chance to read it except the gentlemen who prepared it.

Mr. UNDERWOOD. I will say to the gentleman from Illinois that I will not insist on going on now, but I must insist from now on. Gentlemen must hereafter be prepared to speak until at least 5 o'clock in the afternoon.

Mr. MANN. We shall do the best we can, but the gentleman will not help any in that way.

Mr. UNDERWOOD. All I ask of the gentleman from Illinois and his side of the House is that they also shall be reasonable. Now, Mr. Chairman, I move that the committee do rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration House bill 11019, to reduce the duties on wool and manufactures of wool, and had come to no conclusion thereon.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 27 minutes p. m.) the House adjourned until to-morrow, June 8, at 12 o'clock meridian.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. STEPHENS of Texas: A bill (H. R. 11320) to provide for the sale of the surface of 157.5 acres of the segregated coal and asphalt lands of the Choctaw and Chickasaw Nations to the McAlester Country Club; to the Committee on Indian Affairs.

By Mr. NYE: A bill (H. R. 11321) to authorize the Twin City & Lake Superior Railway Co. to construct a bridge across the St. Croix River between Wisconsin and Minnesota; to the Committee on Interstate and Foreign Commerce.

By Mr. LATTA: A bill (H. R. 11322) to divide the judicial district of Nebraska into divisions and to fix the time for the holding of the terms of court in said divisions; to the Committee on the Judiciary.

By Mr. EDWARDS: Resolution (H. Res. 196) directing the Secretary of War to ascertain extent of discriminations against Jews in United States Army and Military Academy, to correct same and punish offenders; to the Committee on Military Affairs.

Also, resolution (H. Res. 197) directing the Secretary of the Navy to ascertain extent of discrimination against Jews in United States Navy, to correct same, and punish offenders; to the Committee on Naval Affairs.

By Mr. McDERMOTT: A memorial from Illinois Legislature asking Congress to call a convention to propose an amendment to the Constitution of United States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AMES: A bill (H. R. 11323) granting an increase of pension to Harry B. Pettingill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11324) granting an increase of pension to Charles H. Webber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11325) granting an increase of pension to Michael E. Breck; to the Committee on Pensions.

Also, a bill (H. R. 11326) granting an increase of pension to William H. Hart; to the Committee on Pensions.

By Mr. BULKLEY: A bill (H. R. 11327) granting an increase of pension to Henry J. Farwell; to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 11328) for the relief of Palestine Troup; to the Committee on Military Affairs.

Also, a bill (H. R. 11329) granting an increase of pension to Amos Cowan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11330) granting an increase of pension to Hiram Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11331) granting an increase of pension to Charles Fabriz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11332) granting an increase of pension to Joseph S. Moorhead; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11333) granting an increase of pension to Jacob Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11334) granting an increase of pension to James Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11335) granting an increase of pension to Samuel R. Holder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11336) granting an increase of pension to William T. Richmond; to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 11337) granting a pension to William H. Thomas; to the Committee on Invalid Pensions.

By Mr. DOUGHTON: A bill (H. R. 11338) granting a pension to Daniel W. Setzer; to the Committee on Invalid Pensions.

By Mr. FOSTER of Illinois: A bill (H. R. 11339) granting an increase of pension to Susan Harroun; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 11340) granting an increase of pension to Lewis E. Ward; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11341) granting an increase of pension to Isaac Skinner; to the Committee on Invalid Pensions.

By Mr. GOODWIN of Arkansas: A bill (H. R. 11342) granting a pension to George C. Rimes; to the Committee on Pensions.

Also, a bill (H. R. 11343) granting a pension to Livingston D. Smith; to the Committee on Pensions.

By Mr. GRAY: A bill (H. R. 11344) granting an increase of pension to John Sepin; to the Committee on Invalid Pensions.

By Mr. KIPP: A bill (H. R. 11345) granting an increase of pension to James A. Hawthorne; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11346) granting an increase of pension to Harvey Bishop; to the Committee on Invalid Pensions.

By Mr. LINDSAY: A bill (H. R. 11347) to remove the charge of desertion against John Hartman, alias William Johnson, alias David Stiers; to the Committee on Military Affairs.

By Mr. MATTHEWS: A bill (H. R. 11348) granting an increase of pension to John P. Wilson; to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 11349) for the relief of Albert A. Haskett; to the Committee on War Claims.

By Mr. MOSS of Indiana: A bill (H. R. 11350) for the relief of Henry Gibson; to the Committee on Military Affairs.

By Mr. O'SHAUNESSY: A bill (H. R. 11351) granting an increase of pension to Hugh McGuckian; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11352) granting an increase of pension to Laura S. Converse; to the Committee on Pensions.

Also, a bill (H. R. 11353) granting an increase of pension to Sarah M. Matteson; to the Committee on Invalid Pensions.

By Mr. SHEPPARD: A bill (H. R. 11354) for the relief of the heirs of Michael Mayers, deceased; to the Committee on War Claims.

By Mr. TOWNER: A bill (H. R. 11355) granting an increase of pension to Lycurgus Pyle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11356) granting an increase of pension to Benjamin F. Kimler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11357) granting an increase of pension to Thomas J. Scott; to the Committee on Invalid Pensions.

By Mr. UTTER: A bill (H. R. 11358) granting an increase of pension to Mary A. Phillips; to the Committee on Invalid Pensions.

By Mr. WILDER: A bill (H. R. 11359) granting a pension to Thomas J. Stone; to the Committee on Pensions.

Also, a bill (H. R. 11360) granting an increase of pension to Tuffield Shumway; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11361) granting an increase of pension to Robert M. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11362) granting an increase of pension to James A. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11363) granting an increase of pension to Abram H. Bedell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11364) granting an increase of pension to Frederick D. Wellington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11365) for the relief of Jason D. Whitaker; to the Committee on Military Affairs.

Also, a bill (H. R. 11366) for the relief of Henry Butterfield, alias Henry Johnson; to the Committee on Military Affairs.

Also, a bill (H. R. 11367) for the relief of James L. Chase; to the Committee on Military Affairs.

Also, a bill (H. R. 11368) for the relief of James Noonan; to the Committee on Naval Affairs.

Also, a bill (H. R. 11369) to place upon the muster-in rolls the name of John O. Kinney; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AMES: Papers and evidence in the cases of Harry B. Pettingill and Charles H. Webber; to the Committee on Invalid Pensions.

Also, papers and evidence in the cases of William H. Hart and Michael F. Breck; to the Committee on Pensions.

By Mr. ANSBERRY: Petition of A. G. Snow and other retail druggists of Paulding County, Ohio, against a local rural parcels post; to the Committee on the Post Offices and Post Roads.

By Mr. BARTLETT: Petitions of Georgia Commission Co., B. T. Banks, Forsyth Mercantile Co., Poorch & Harp, T. J. and H. H. Harden, W. T. Lawson & Co., of Forsyth, Ga.; W. M. and J. E. Howard, of Barnesville, Ga., asking for the reduction of tariff on sugar; to the Committee on Ways and Means.

By Mr. BULKLEY: Resolution of the Cleveland Chamber of Commerce urging the amendment of the corporation-tax law to permit each corporation to make its return as of the close of its fiscal year; to the Committee on Ways and Means.

Also, petition of 19 Ohio retailers, protesting against the high duty on sugar as an unnecessary burden to the consumer, and asking that it be reduced; to the Committee on Ways and Means.

By Mr. DYER: Petition of Charles W. Stockhausen, of St. Louis, Mo., protesting against House bill 8887; to the Committee on Ways and Means.

Also, petition of H. O. A. Huegel, president Retail Druggists' Association of St. Louis, Mo., protesting against House bill 8887; to the Committee on Ways and Means.

Also, petition of C. K. Reifsnider, of St. Louis, Mo., favoring House bill 5601, relating to prison-made goods; to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Cleveland Chamber of Commerce, urging the amendment of the corporation-tax law to permit each corporation to make its return at the close of its fiscal year; to the Committee on the Judiciary.

Also, petition of B. Nugent & Bro. Dry Goods Co., of St. Louis, Mo., protesting against House bill 8887; to the Committee on Ways and Means.

Also, resolutions of the National Lumber Manufacturers' Association, relating to certain measures being considered by Congress; to the Committee on Rules.

Also, memorial of Society for Prevention of Sickness, of Washington, D. C., favoring Senate bill 26, "An act to authorize the acceptance by the United States of the gift of the Nathan Straus Pasteurized Milk Laboratory"; to the Committee on the District of Columbia.

Also, resolutions adopted by the Workmen's Sick and Death Benefit Fund of the United States of America, protesting against methods pursued in arrest of John McNamara, and favoring the resolution introduced by Mr. BERGER; to the Committee on Rules.

By Mr. FITZGERALD: Resolutions of the American Association of Refrigeration, concerning proposed national legislation likely to injuriously affect the production and marketing of perishable food products; to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Chamber of Commerce of the State of New York, favoring reciprocity agreement with Canada; to the Committee on Ways and Means.

Also, resolutions of the Brooklyn Federation of Labor, relative to the alleged kidnaping of certain labor officials of the State of Indiana; to the Committee on Labor.

Also, resolutions of the Chamber of Commerce of Pittsburg, urging an amendment of the corporation-tax law; to the Committee on the Judiciary.

Also, resolutions of the officers and enlisted men of the volunteer organizations serving in the Philippines, urging support of bill to be introduced by Senator JONES similar in purport to Senate bill 4033, introduced by him in Sixty-first Congress, second session; to the Committee on Military Affairs.

By Mr. FRENCH: Petition of citizens of Van Wyck, Idaho, favoring removal of duty on sugar; to the Committee on Ways and Means.

By Mr. FULLER: Petition of the United Trades and Labor Assembly of Streator, Ill., favoring the Berger resolution; to the Committee on Rules.

Also, petition of A. Gulbeason, of Rockford, Ill., against the admission of New Mexico as a State; to the Committee on the Territories.

Also, petition of E. R. Elliott, of Rockford, Ill., against a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. HAY: Petition of citizens of Charlottesville, Va., asking for reduction of duty on sugar; to the Committee on Ways and Means.

By Mr. HENRY of Texas: Petition of citizens of Leroy, Tex., asking for a reduction in the duty on raw sugar; to the Committee on Ways and Means.

By Mr. HUMPHREY of Washington: Petitions of sundry citizens of Washington, asking for a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. JAMES: Petition of citizens of Kirbyton, Ky., asking for a reduction of the tariff duty on sugar; to the Committee on Ways and Means.

Also, petition of citizens of Louisville, Ky., asking repeal of tariff on lemons; to the Committee on Ways and Means.

By Mr. LOBECK: Resolutions from the Commercial Club of Omaha, Nebr., asking that the corporation-tax law be amended; to the Committee on the Judiciary.

Also, resolutions adopted by the annual convention of the Workman's Sick and Death Benefit Fund of the United States, protesting against methods pursued in arrest of John McNamara, and indorsing resolution introduced by Mr. BERGER; to the Committee on Rules.

By Mr. MADDEN: Petition of some negroes of Topeka, Kans., protesting against repeal of fourteenth amendment; to the Committee on the Judiciary.

By Mr. MADISON: Petition of certain citizens of the State of Kansas for a reduction of the duties on sugar; to the Committee on Ways and Means.

By Mr. MATTHEWS: Petitions of citizens of Avella, Washington County, Pa., asking for reduction in the duty on raw and refined sugar; to the Committee on Ways and Means.

Also, affidavits in support of bill to increase pension of John P. Wilson; to the Committee on Invalid Pensions.

By Mr. McDERMOTT: Resolutions of Illinois Manufacturers' Association, urging that the corporation-tax law be amended so that corporations will be permitted to make returns as of the close of their fiscal year; to the Committee on Ways and Means.

Also, resolutions adopted by the Workmen's Sick and Death Benefit Fund of the United States of America, protesting against the methods pursued in the arrest of John McNamara and indorsing the resolution introduced by Mr. BERGER; to the Committee on Rules.

By Mr. O'SHAUNESSY: Resolution of Rhode Island Anti-tuberculosis Association, providing for the creation of a public health committee in the House of Representatives; to the Committee on Rules.

Also, resolution of the Local Council of Women of Rhode Island, favoring treaties of unlimited arbitration with Great Britain and other countries; to the Committee on Foreign Affairs.

By Mr. PALMER: Resolution of Washington Camp, No. 327, Patriotic Order Sons of America, urging enactment of illiteracy test; to the Committee on Immigration and Naturalization.

By Mr. PRAY: Petition of citizens of Eureka, Jardine, Denton, and Stanford, Mont., for reduction of duty on sugar; to the Committee on Ways and Means.

Also, petition of Anaconda Mill and Smeltermen's Union, No. 117, Western Federation of Miners, of Anaconda, Mont., protesting against Anglo-American arbitration treaty; to the Committee on Foreign Affairs.

By Mr. RANDELL of Texas: Petition of W. L. Barnes and other citizens of Lone Oak, Tex., favoring reducing the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. ROBERTS of Massachusetts: Petition of the members of the First Parish in Hingham, Mass., favoring arbitration treaty now pending between the United States and England; to the Committee on Foreign Affairs.

Also, petition of New England Association of the Federal Immigration and Naturalization Service, favoring House bill 729, a bill for increasing the salaries and for the retirement of employees in the classified service; to the Committee on Reform in the Civil Service.

Also, resolutions of Massachusetts State Board of the Ancient Order of Hibernians in America, protesting against the adoption of the so-called peace treaty now pending; to the Committee on Foreign Affairs.

By Mr. ROBINSON: Petition of German-American Federation of Arkansas, protesting against conduct and action of immigration officials in excluding desirable immigrants from the United States; to the Committee on Immigration and Naturalization.

Also, petition of J. B. Simmons et al., of Pine Bluff, Ark., asking for reduction of tariff on sugar; to the Committee on Ways and Means.

By Mr. TALCOTT of New York: Petition of sundry citizens of Prospect, N. Y., asking for a reduction in the duty on sugars, both raw and refined; to the Committee on Ways and Means.

By Mr. UTTER: Petition of L. E. Edwards, of Pascoag, R. I., protesting against a tax on proprietary medicines; to the Committee on Ways and Means.

By Mr. WILSON of New York: Petition of Local Union No. 381, United Brotherhood of Carpenters and Joiners of America, Brooklyn, N. Y., asking for an investigation of McNamara case at Los Angeles; to the Committee on Rules.

Also, petition of Cloak and Skirt Makers' Union No. 11, of Brooklyn, N. Y., asking for investigation of the McNamara case; to the Committee on Rules.

Also, resolutions of Cleveland Chamber of Commerce, Cleveland, Ohio, in favor of certain amendments to the corporation-tax law; to the Committee on the Judiciary.

Also, resolutions of the Chamber of Commerce of the State of New York, favoring proposed Canadian reciprocity agreement; to the Committee on Ways and Means.

SENATE.

THURSDAY, June 8, 1911.

The Senate met at 2 o'clock p. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented a memorial of Local Grange No. 312, Patrons of Husbandry, of Quincy, N. H., remonstrating

against the proposed reciprocal trade agreement between the United States and Canada, which was referred to the Committee on Finance.

He also presented the petition of Dr. Henry H. Seltzer, of Washington, D. C., praying for the passage of the so-called Johnston Sunday rest bill, which was ordered to lie on the table.

Mr. CULLOM presented a memorial of Local Division No. 1, Ancient Order of Hibernians, of Peoria, Ill., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. MYERS presented a memorial of Mill and Smeltermen's Union No. 117, of Anaconda, Mont., remonstrating against the ratification of the proposed treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. LODGE presented a petition of the Chamber of Commerce of Boston, Mass., praying for the passage of the proposed reciprocal trade agreement between the United States and Canada, which was referred to the Committee on Finance.

Mr. CURTIS presented a memorial of David Sharp Master Grange, No. 1432, Patrons of Husbandry, of Arkansas City, Kans., remonstrating against the proposed reciprocal trade agreement between the United States and Canada, which was referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. DU PONT, from the Committee on Military Affairs, to which was referred the bill (S. 2601) for the relief of Douglas B. Thompson, asked to be discharged from its further consideration and that it be referred to the Committee on Claims, which was agreed to.

Mr. WARREN, from the Committee on Military Affairs, to which was referred the bill (S. 315) fixing the rank of military attachés, reported it with an amendment and submitted a report (No. 59) thereon.

Mr. MARTIN of Virginia, from the Committee on Commerce, to which was referred the bill (S. 1524) to authorize the construction and maintenance of a dam or dams across the Kansas River in western Shawnee County or in Wabaunsee County, in the State of Kansas, reported it with an amendment and submitted a report (No. 60) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GALLINGER:

A bill (S. 2674) to regulate public utilities in the District of Columbia, and to confer upon the Commissioners of the District of Columbia the duties and powers of a public utilities commission;

A bill (S. 2675) to incorporate The Rockefeller Foundation (with accompanying papers); and

(By request.) A bill (S. 2676) to provide for a hospital for the treatment of inebriates, and for other purposes; to the Committee on the District of Columbia.

By Mr. CULLOM:

A bill (S. 2677) to establish the military record of M. M. Pool (with accompanying paper); to the Committee on Military Affairs.

By Mr. JONES:

A bill (S. 2678) extending the provisions of the bounty-land law of March 3, 1855, to persons who participated in the Indian wars of the United States prior to April 12, 1861; to the Committee on Public Lands.

By Mr. DILLINGHAM:

A bill (S. 2679) granting an increase of pension to Frederick M. Miller (with accompanying papers); to the Committee on Pensions.

REPORT OF IMMIGRATION COMMISSION.

Mr. DILLINGHAM. Mr. President, I ask leave to have reprinted, with corrections and illustrations, Senate Document No. 208 of the Sixty-first Congress, second session, being a report of the Immigration Commission on changes in bodily form of descendants of immigrants. The document has been once printed, and it has been very much called for. It was included among the reports of the commission made when the commission went out of existence the first day of the last session, but by some error it was not reported among the list of reports that should be printed. For that reason I ask for a reprint.

There being no objection, the order was reduced to writing and agreed to, as follows:

Ordered, That Senate document No. 208, Sixty-first Congress, second session, being report of the Immigration Commission on changes in bodily form of descendants of immigrants, be reprinted with corrections and illustrations.